

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 17, No. 13 March 26, 1998 Pages 375-406

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State of Kansas

### **Attorney General**

#### Notice of Available Grant Funding

Grant funds are available from the Federal Governor's Discretionary Portion of the Safe and Drug-Free Schools and Communities Act for federal fiscal year October 1, 1998 through September 30, 1999. The purpose of this grant program is to fund units of state or local government, schools and private not-for-profit organizations that provide drug and violence prevention programs and activities and law enforcement education partnerships.

Priority will be given to programs and activities that serve children and youth who are not normally served by state or local educational agencies or populations that need special services or additional resources, such as preschoolers, youth in juvenile detention facilities, runaway or homeless children and youth, pregnant and parenting teenagers, and school dropouts. A minimum of 10 percent of each federal fiscal year grant will be allocated to law enforcement agencies.

Applications can be obtained by contacting the Office of the Attorney General, 2nd Floor, Kansas Judicial Center, 301 S.W. 10th, Topeka, 66612-1597, (785) 296-2215 or 1-800-828-9745.

All grant applications are to be postmarked by Friday, May 1. No applications will be accepted after that date.

Carla J. Stovall Attorney General

Doc. No. 022173

(Published in the Kansas Register March 26, 1998.)

# Heartland Works, Inc. Public Notice

Heartland Works, Inc. is in the process of submitting a consolidated local Job Training Plan for Service Delivery Area II to carry out programs authorized under the Job Training Partnership Act. The plan covers Titles IIA (Adult Program), IIB (Summer Youth), IIC (Youth Program) and III (Dislocated Worker Program) for program years 1998 and 1999. The plan also includes Wagner-Peyser Funding (Job Service) for program year 1998. Program year 1998 allocations are as follows: Title IIA, \$699,317; Title IIB, \$864,476; Title IIC, \$104,202; Title III, \$780,930; and Wagner-Peyser, \$800,810.

It is the purpose of the JTPA to establish programs to prepare youth and unskilled adults for entry into the labor force and to afford job training to those economically disadvantaged individuals with barriers to employment in need of training. Programs include on-the-job training, classroom training, work experience, and summer youth and other programs. Laid-off workers' assistance includes job search, job skill update, career assessment, and skill and interest evaluations.

The plan will be available for review and comment at the Heartland Works administrative office. Please forward any questions, comments or inquiries to Kris Kitchen, Executive Director, Heartland Works, Inc., Administrative Office, 117 S.W. 10th, 3rd Floor, Topeka, 66612, (785) 234-0500.

Kris Kitchen Executive Director

Doc. No. 022178

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$70 (Kansas residents must include \$4.31 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Periodicals postage paid at Topeka, KS.

Postmaster: Send change of address form to Kansas Register, Secretary of State, State Capitol, 300 S.W. 10th Ave., Topeka, KS 66612-1594.

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PUBLISHED BY
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Register Office: Room 233-N, State Capitol (785) 296-3489 Fax (785) 291-3051 (Published in the Kansas Register March 26, 1998.)

### Heartland Works, Inc. Request for Proposals

Heartland Works, Inc., 117 S.W. 10th, Topeka, 66612, is issuing a request for proposals to provide educational enrichment services to its summer youth participants located in the Lawrence area (Douglas, Franklin or Jefferson counties) and Manhattan area (Riley, Pottawatomie or Wabaunsee counties) for the period June 1-August 14, 1998. To receive a "Request for Proposal" including all specifications, call (785) 234-0500 or write to the above address. All proposals must be received by noon April 8. Heartland Works, Inc. welcomes all interested organizations to bid.

Kris Kitchen
Executive Director

Doc. No. 022174

#### State of Kansas

#### **Kansas Insurance Department**

### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, June 16, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of proposed changes in an existing rule and regulation.

This 60-day notice of the public hearing shall constitute a public comment period for purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Rebecca Sanders, Staff Attorney, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Rebecca Sanders, (785) 296-7811.

A copy of the full text of the regulation and the economic impact statement may be obtained by contacting the Kansas Insurance Department. A summary of the proposed regulation and its economic impact follows.

K.A.R. 40-9-118. Life insurance; advertising. This regulation adopts by reference the NAIC "Rules Governing the Advertising of Life Insurance," June 1988 edition, model regulation, subject to some additions and exceptions. The suggested revision makes minor and technical changes to eliminate unnecessary filings. There should be little or no economic impact upon the Kansas Insurance Department.

Kathleen Sebelius Kansas Insurance Commissioner (Published in the Kansas Register March 26, 1998.)

### Heartland Works, Inc. Request for Proposals

Heartland Works, Inc., 117 S.W. 10th, Topeka, 66612, is issuing a request for proposals to provide educational enrichment services to an additional 10-30 summer youth participants located in Shawnee, Osage and/or Jackson counties for the period June 1-August 14, 1998. To receive a "Request for Proposal" including all specifications, call (785) 234-0500 or write to the above address. All proposals must be received by noon, April 8. Heartland Works, Inc. welcomes all interested organizations to bid.

Kris Kitchen Executive Director

Doc. No. 022179

#### State of Kansas

#### **Pooled Money Investment Board**

#### **Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 1997 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

#### Effective 3-23-98 through 3-29-98

Term	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	Rate
1-89 days	The second second	5.41%
3 months		5.30%
6 months		5.38%
9 months		5.45%
12 months		5.46%
18 months		5.50%
24 months		5.50%
	the second secon	

William E. Lewis Chairman

Doc. No. 022172

#### State of Kansas

#### Social and Rehabilitation Services

#### **Request for Comments**

The draft Social Service Block Grant (SSBG) State Plan for fiscal year 1999 is in the public comment period from April 13 to May 12. Copies of the draft plan will be available for review at each of the 12 SRS area offices.

Comments concerning the draft plan are to be submitted by May 12 to the Kansas Department of Social and Rehabilitation Services, Office of Research, 6th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Copies of the draft plan also are available upon written request to the same address. The SSBG State Plan is scheduled to be adopted by the Secretary of Social and Rehabilitation Services at the June 2 SRS open meeting.

Rochelle Chronister Secretary of Social and Rehabilitation Services

Doc. No. 022180

State of Kansas

# Department of Administration Division of Accounts and Reports

### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10:30 a.m. Tuesday, May 26, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed rules and regulations of the Department of Administration, Division of Accounts and Reports, on a permanent basis.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Administration, Room 263-E, State Capitol, 300 S.W. 10th Ave., Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Faith Loretto, (785) 296-6000 or (785) 296-4798 (TTY). Handicapped parking is located at the south end of the Landon State Office Building, and the north entrance to the building is accessible.

Summaries of the proposed regulations and their economic impact follow.

K.A.R. 1-16-18, Subsistence allowance, rates, prescribes the amounts and method for computing reimbursement for meal expenses and reimbursement or direct payment of lodging expenses incurred by state employees while traveling on official state business. The regulation sets forth maximum allowable costs for meals and lodging for travel in-state, out-of-state, to identified high-cost geographic areas and to international locations. The regulation also sets forth the required reduction amounts for meals provided to the traveler at no cost to the traveler. The proposed amendments to K.A.R. 1-16-18 increase the reimbursement limitation for meals allowances and lodging expenses in most categories of travel and adjust the required reductions for meals provided accordingly. These proposed increases are based on consideration of actual costs incurred in travel, the rate(s) allowed by the Internal Revenue Service and other pertinent matters at the discretion of the Secretary of Administration, as required by K.S.A. 75-3207a(b).

The amendments to the regulation also authorize payment of actual expenses for conference lodging as qualified within the provisions of K.A.R. 1-16-18a(e). Beginning April 1, 1996, the Secretary of Administration could temporarily designate a conference site as a designated high-cost geographic area. The temporary des-

ignation is effective only for the interval specified for the conference and only for those employees authorized to attend the conference. The provision was designed to provide flexibility to agency managers to allow employees to attend conferences when lodging rates exceed: (1) the lodging expense limitation authorized by K.A.R. 1-16-18; and (2) the allowance to exceed such rates by up to 150% as authorized by K.S.A. 75-3207a(e). Proposed amendments to K.A.R. 1-16-18 and K.A.R. 1-16-18a provide for payment of actual lodging expenses at conference sites, rather than making conference sites a temporary designated high-cost area.

K.A.R. 1-16-18 is further amended to allow the application of the lodging limits to the lodging rate before taxes. Thus, the amount reimbursed or paid for lodging expenses may exceed the established lodging limitation by as much as the amount of associated taxes. The amendment is simply designed to prevent situations in which a traveling site officer or employee must pay expenses out-of-pocket when the total lodging cost exceeds the allowable rates due to the addition of applicable taxes.

An additional amendment to K.A.R. 1-16-18 incorporates two existing special areas, Washington, D.C. and Manhattan, into a broadened category of travel labeled "out-of-state, special designated high-cost geographic area." This category includes the areas listed in 1-16-18a.

Effective July 1, 1998, the amended regulation would increase the reimbursement rates for meals and lodging while on official state business as follows:

#### **Quarter-Day Meals Allowance**

Travel Destination	Current Rate P	roposed Rate
In-State	\$ 6.50	\$ 7.00
In-State, high-cost	\$ 7.00	\$ 7.25
Out-of-State	\$ 7.00	\$ 7.25
Designated high-cost geographic		
area—Out-of-State	<b>\$</b> 7.50	\$ 7.50
Special designated high-cost	in a residence of the	
geographic area—Out-of-	Section 1997 April 1997	
State	\$10.00	\$10.50
International Travel	\$10.00	\$10.50

#### Lodging Expense Limitations

roughly expens	se rimitations	
Travel Destination	<b>Current Rate</b>	<b>Proposed Rat</b>
In-State	\$ 52.00	\$ 54.00
In-State, high-cost	\$ 65.00	\$ 68.00
Out-of-State	\$ 78.00	\$ 81.00
Designated high-cost geographic	: 25.25	
area—Out-of-State	\$113.00	\$118.00
Special designated high-cost		
geographic area—Out-of-		a A
State	\$124.00	\$129.00
International Travel	Actual	Actual
Conference lodging qualified	Limited to	Actual
under K.A.R. 1-16-18a(e)	high-cost	
	geographic	
	area rates,	
	based on	
	destination	
	city	

State agencies will bear the cost of the increases to subsistence rates, and state employees traveling on official state business will benefit from establishment of rates which more closely reflect the actual cost of travel. Estimated expenditures due to rate increases assume all lodging expenses will increase to the new limitation levels, but this will likely not occur, and therefore, the fiscal impact will be less. The proposed subsistence rates could increase annual subsistence allowances and reimbursements for in-state and out-of-state travel by approximately 4.4 percent if the present rate of travel continues. This represents an estimated statewide increase in expenditures of \$540,500. The increase includes \$190,400 from the state general fund and \$350,100 from other funds, including special revenue and federal funds. These expenditure increases would be incurred in FY 1999 and fiscal years thereafter.

K.A.R. 1-16-18a, Designated high-cost geographic areas, identifies "high-cost geographic areas," which qualify for higher subsistence reimbursement rates pursuant to K.A.R. 1-16-18. Amendments to K.A.R. 1-16-18a(d) add 15 new high-cost geographic areas. The amendment also reflects the broadened definition of travel to Washington, D.C., and New York, New York, as "out-of-state special designated high-cost geographic areas." Because travel allowances for Washington, D.C., and Manhattan are currently higher than other designated high-cost geographic areas, the redefined category does not alter the reimbursement policies for travel to these two cities. Additionally, the regulation is amended to provide for reimbursement of actual lodging expenses for conferences, subject to review and approval requirements set out in subsection (e). Currently, subsection (e) allows conference sites to be temporarily designated as high-cost geographic areas under similar review and approval requirements.

State agencies will bear the cost of any increase in travel expense reimbursements, and state employees traveling on official state business will benefit from reimbursement rates or allowances that more closely reflect the actual cost of travel. The volume of travel to the cities added as high-cost geographic areas cannot be predicted. However, the increase per day in allowable meals and lodging expenses for areas proposed to be designated as high-cost areas is a maximum of \$55 in lodging reimbursement and \$1 in meal reimbursement, with lodging reimbursement further limited to actual expenses. Any increase in cost to agencies must be managed within existing available resources. Some local units of government may use the state's subsistence rates as the basis for reimbursing their own employees for travel expenses. However, this amendment is not expected to have a significant impact on local units' travel costs. No economic impact on private citizens and consumers is expected.

K.A.R. 1-18-1a, Maximum allowance for mileage for use of a privately-owned conveyance for public purposes, prescribes reimbursement rates in four categories for employees' use of privately-owned conveyances on official business. Effective July 1, 1998, the amended regulation would increase the reimbursement rate for the use of privately-owned conveyances as follows:

Privately-owned Conveyance	Mileage Rates	Mileage Rates
Motorcycle	<b>\$.15</b>	<b>\$.16</b>
Automobile	\$.31	\$.32
Airplane	<b>\$.43</b>	<b>\$.44</b>
Specially Equipped Vehicle for the Physically Disabled	<b>\$.43</b>	<b>\$.44</b>

The proposed amendment will affect state agencies and their employees who travel on official state business in privately-owned conveyances. However, K.A.R. 1-18-1a currently provides that those employees who choose to use a privately-owned vehicle when a state-owned or leased vehicle is available are to be reimbursed at the Central Motor Pool rate for compact cars. Therefore, the privately-owned conveyance reimbursement rate may be paid only under the following circumstances: (1) if a state-owned or leased vehicle is not available; (2) if the use of a state vehicle is determined to be more expensive than the use of an employee's privately-owned vehicle; or (3) if the employee has a disability which requires use of a specially-equipped privately-owned vehicle.

An estimate of increased expenditures resulting from an increase in the privately-owned conveyance mileage rate cannot be accurately predicted. If it is assumed that all FY 1998 expenditures for mileage reimbursement for privately-owned conveyances were paid at the Central Motor Pool rate and will continue to be, then the impact of an increase in the privately-owned conveyance reimbursement rate is zero. If it is assumed all FY 1998 expenditures for mileage reimbursement for privately-owned conveyances were paid at the rate of \$.31, the-following table shows a "worst case" estimate of statewide increased expenditures if the rate is raised to \$.32 in FY 1999:

	FY 1998	FY 1999	FY 1999
	Projected	Estimated	<b>Estimated</b>
Fund Type	@ \$.31/Mile	@ \$.32/Mile	Increase
State General Fund	\$1,826,702	\$1,885,629	\$ 58,927
All Other Funds	\$2,879,201	\$2,972,078	\$ 92,877
Combined Funds	\$4,705,903	\$4,857,707	\$151,804

These expenditure increases would be incurred by state agencies for each year after implementation. The proposed increase in privately-owned conveyance rates also would have an indeterminable economic impact on any governmental units within the State of Kansas that do not elect to establish their own mileage rates and alternatively use the state rates. No impact on the general public is anticipated.

Copies of the proposed regulations and the associated economic impact statements may be obtained from the Division of Accounts and Reports, Room 351-S, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-2311.

Daniel R. Stanley Secretary of Administration

#### State of Kansas

#### Legislature

#### Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were recently introduced by the 1998 Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096.

#### **Bills/Resolutions introduced March 12-18:**

#### **House Bills**

HB 3009, An act relating to the pooled money investment board; concerning audits and comparative investment reviews; amending K.S.A. 75-4222 and 75-4234 and repealing the existing sections; also repealing K.S.A. 75-627, by Committee on Appropriations.

HB 3010, An act concerning construction management services for public works projects of state agencies and local governments; prescribing certain procurement procedures; amending K.S.A. 75-1265 and repealing the existing section, by Committee on Appropriations.

HB 3011, An act concerning natural gas, declaring certain sales and acquisitions relating thereto not to be prudent, in the public interest or just and reasonable, by Committee on Appropriations.

HB 3012, An act concerning the department of social and rehabilitation services; relating to foster care services and contracts with service providers, by Committee on Appropriations.

HB 3013, An act concerning the council on travel and tourism; transferring the powers and duties of the division of travel and tourism development to the council on travel and tourism; establishing the council on travel and tourism as a separate state agency; abolishing the division of travel and tourism development of the department of commerce and housing; amending K.S.A. 73-2103, 74-5090 and 74-9202 and K.S.A. 1997 Supp. 74-5089, 74-5091, 74-9001, 74-9002 and 74-9003 and repealing the existing sections; also repealing K.S.A. 74-5032 and 74-5032a, by Committee on Appropriations.

HB 3014, An act concerning the transportation of hazardous materials; authorizing certain federal exemptions, by Committee on Appro-

priations.

#### **House Concurrent Resolutions**

HCR 5050, A proposition to amend article 11 of the constitution of the state of Kansas by adding a new section thereto, prohibiting the increase of the rate of certain taxes.

#### **House Resolutions**

HR 6016, A resolution urging the State Corporation Commission to postpone certain proceedings and conduct an investigation relating to a natural gas contract (P-0802 contract).

HR 6017, A resolution in memory of Garner Shriver. HR 6018, A resolution in memory of Edward F. Arn.

#### Senate Bills

SB 686, An act concerning certain refunds of rates and charges received for reimbursement of ad valorem taxes in connection with the sale of natural gas; providing procedures therefor, by Committee cn Ways and Means.

SB 687, An act concerning salaries and compensation for state officers and employees; amending K.S.A. 75-3101, 75-3103, 75-3104, 75-3108, 75-3110 and 75-3111a and K.S.A. 1997 Supp. 40-102, 46-137a and 46-137b and repealing the existing sections, by Committee on Ways and Means.

SB 688, An act concerning public officers and employees; relating to eligibility for representation by employee organizations; concerning eligibility for the state health care benefits program; amending K.S.A. 75-4322 and 75-6501 and repealing the existing sections, by Committee on Ways and Means.

SB 689, An act concerning the Kansas commission on veterans affairs; relating to location of such commission's meetings; concerning duties of the superintendents of Kansas soldiers' and veterans' homes; relating to reductions in certain positions based on retirements; amending K.S.A. 75-6801, 76-1904 and 76-1951 and K.S.A. 1997 Supp. 73-1208b and repealing the existing sections, by Committee on Ways and Means.

#### **Senate Resolutions**

SR 1829, A resolution congratulating and commending the Arkansas

City High School wrestling team, Coach Wayne Jackson and Assistant Coach Justin Ware for winning the Class 5A State Championship for the eleventh consecutive year.

SR 1830, A resolution urging the State Corporation Commission to postpone certain proceedings and conduct an investigation relating to a natural gas contract (P-0802 contract).

Doc. No. 022171

#### State of Kansas

#### **Department of Transportation**

#### **Notice to Contractors**

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, KDOT, Topeka, or at the Ramada Inn Downtown, Topeka, until 2 p.m. April 15, and then publicly opened:

#### **District One—Northeast**

Atchison—59-3-K-6906-01—U.S. 59, from the Jefferson-Atchison county line northeast to the west city limits of Atchison, 14.3 miles (23.1 kilometers), sealing. (State Funds)

Atchison—116-3 K-6911-01—K-116, from the Jackson-Atchison county line east to the junction of U.S. 59, 16.6 miles (26.8 kilometers), crack repair. (State Funds)

**Brown**—73-7 K-6609-01—U.S. 73, Bridge 007 (Otter Creek), bridge overlay. (State Funds)

**Brown**—73-7 K-6594-01—U.S. 73, Bridge 13 (Walnut Creek), Bridge 14 (Union Pacific Railroad), and Bridge 15 (county road), bridge overlay. (State Funds)

Districtwide—106 K-5925-98—Various locations in District One, 242 miles (390 kilometers), signing. (State Funds)

Jackson—116-43 K-6910-01—K-116, from the junction of K-16 east to the Jackson-Atchison county line, 6 miles (9.7 kilometers), crack repair. (State Funds)

Jackson—79-43 K-6521-01—K-79, from the K-16 junction north to the south city limits of Circleville, 3.5 miles (5.7 kilometers), sealing. (State Funds)

Jackson—62-43 K-6907-01—K-62, from the junction of K-16 north to the Jackson-Nemaha county line, 7.3 miles (11.8 kilometers), crack repair. (State Funds)

Jefferson—237-44 K-6912-01—K-237, from the junction of U.S. 24 north to Perry State Park, 3.3 miles (5.4 kilometers), crack repair. (State Funds)

Johnson—46 N-0066-01—Shawnee Mission Parkway and Woodland Road, intersection improvement. (Federal Funds)

Johnson-Wyandotte—35-106 K-7166-01—I-35, from the Miami-Johnson county line north to Southwest Boulevard in Wyandotte County, 32.3 miles (60 kilometers), pavement marking. (State Funds)

Leavenworth—92-52 K-7162-01—K-92, Centennial Bridge 026 over the Missouri River, bridge repair. (State Funds)

Nemaha—66 C-3200-01—County road, 8.5 miles (13.7 kilometers) west and 2 miles (3.2 kilometers) north of Sen-

eca, 0.2 mile (0.32 kilometer), grading, bridge and surfacing. (Federal Funds)

Nemaha—62-66 K-6908-01—K-62, from the Jackson-Nemaha county line north to the junction of K-9, 6 miles (9.7 kilometers), crack repair. (State Funds)

Riley—18-81 K-6607-01—K-18, Bridge 43 (Union Pacific Railroad) and Bridge 44 (Seven Mile Creek), bridge overlay. (State Funds)

Riley—77-81 K-6909-01—U.S. 77, from the east junction of U.S. 24, north 8 miles (13 kilometers), crack repair. (State Funds)

Shawnee—75-89 K-7161-01—U.S. 75, from the Westgate Bridge to the Soldier Creek Bridge and the 46th Street intersection in Topeka, 1.9 miles (3.1 kilometers), slurry seal. (State Funds)

Wyandotte—5-105 K-6203-01—K-5, Bridge 193 over the Missouri-Pacific and Union Pacific Railroad, bridge repair. (State Funds)

Wyandotte—32-105 K-6882-01—K-32, Bridge 107 (Kansas River), bridge repair. (State Funds)

Wyandotte—105 N-0097-01—12th Street Bridge over the Kansas River, 0.3 mile (0.5 kilometer), grading, bridge and surfacing. (State Funds)

#### District Two—Northcentral

Chase—150-9 K-6918-01—K-150, from the Marion-Chase county line east to the junction of U.S. 50, 8.7 miles (14 kilometers), sealing. (State Funds)

Jewell—28-45 K-6647-01—K-28 culverts, 0.8 mile (1.3 kilometers) and 4.2 miles (6.7 kilometers) east of K-14, culvert improvements. (State Funds)

Lincoln—14-53 K-6913-01—K-14, from the junction of K-18 north to the Lincoln-McPherson county line, 11.6 miles (18.7 kilometers), crack repair. (State Funds)

Marion—150-57 K-6917-01—K-150, from the junction of U.S. 56/U.S. 77 east to the Marion-Chase county line, 8 miles (12.9 kilometers), sealing. (State Funds)

Morris—57-64 K-6914-01—K-57, from the south city limits of Council Grove south to the Morris-Chase county line, 9.3 miles (15 kilometers), crack repair. (State Funds)

Saline—135-85 K-5263-01—I-35, 0.3 mile (0.5 kilometer) north of the junction of K-104, north 9.7 miles (15.6 kilometers), pavement reconstruction. (State Funds)

Washington—148-101 K-6916-01—K-148, from the Republic-Washington county line east to the junction of K-15/K-9, 17 miles (27.4 kilometers), crack repair. (State Funds)

Washington—9-101 K-7116-01—K-9, Bridge 34 (Coon Creek), 2.7 miles (4.3 kilometers) and Bridge 35 (Coon Creek drainage), 2.9 miles (4.7 kilometers) east of K-15, bridge overlay. (State Funds)

#### District Three—Northwest

Decatur-Norton-Sheridan—9-106 K-6919-01—K-9, from the Sheridan-Decatur county line east to the Decatur-Norton county line; K-9, from the Decatur-Norton county line east to the west junction of U.S. 283; K-9, from the junction of K-123 east to the Sheridan-Decatur county line, 29.8 miles (47.9 kilometers), sealing. (State Funds)

Graham—24-33 K-6920-01—U.S. 24, from the east city limits of Hill City east to the Graham-Rooks county line, 13 miles (21 kilometers), crack repair. (State Funds)

Sheridan—24-90 K-6921-01—U.S. 24, from the east city limits of Hoxie east to the Sheridan-Graham county line, 14.4 miles (23.2 kilometers), crack repair. (State Funds)

Russell—281-84 K-5881-01—U.S. 281, 15th Street north 0.1 mile (0.2 kilometer) in Russell, grading and surfacing. (State Funds)

**Wallace**—100 C-3442-01—Countywide signing project, signing. (Federal Funds)

#### **District Four—Southeast**

**Woodson**—104 C-3440-01—County road, 3.2 miles (5.1 kilometers) south and 4 miles (6.4 kilometers) west of Piqua, 0.5 mile (0.8 kilometer), grading and bridge. (Federal Funds)

#### District Five—Southcentral

Rush—183-83 K-6932-01—U.S. 183, from the junction of K-4 north to the Rush-Ellis county line, 11.1 miles (17.8 kilometers), crack repair. (State Funds)

**Sedgwick**—54-87 K-7160-01—U.S. 54, 0.06 mile (0.1 kilometer) west of U.S. 54/Seneca Avenue on eastbound lanes, attenuator repair. (State Funds)

Sedgwick—87 N-0108-01—First and Emporia, Second and Emporia, Second and St. Francis and First and Washington, upgrade traffic signals. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

E. Dean Carlson Secretary of Transportation

(Published in the Kansas Register March 26, 1998.)

### City of Wichita, Kansas Notice to Bidders

• The City of Wichita will receive bids until 10 a.m. Friday, April 24, at the Purchasing Office, 455 N. Main, 12th Floor, for the replacement of the Douglas Avenue Bridge over the Arkansas River (McLean Blvd. to Waco St.). Requests for bid documents, plans and specifications should be directed to Kansas Blue Print at (316) 264-9344 or Carolyn Swoboda at (316) 268-4488. Other questions should be directed to the respective design engineer, (316) 268-4501.

All bids received will be publicly opened, read aloud and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer.

Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject

any and all bids.

The successful bidder may contact Pam Plank, (316) 268-4499, or Carolyn Swoboda, (316) 268-4488, for extra sets of plans/specifications.

Carolyn Swoboda Administrative Aide

Doc. No. 022185

State of Kansas

### Department of Health and Environment

#### **Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Engineered Recovery Systems, Inc. has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of hazardous air pollutants (HAPs) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Engineered Recovery Systems, Inc., Shawnee, owns and operates a medical waste autoclaving and incineration system located at 1201 S. Spencer Ave., Newton.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE south central district office, 130 S. Market, sixth floor, Wichita. To obtain or review the proposed permit and supporting documentation, contact David A. Peter, (785) 296-1615, at the KDHE central office, or Dave Butler, (316) 337-6020, at the KDHE south central district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to David A. Peter, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit

decision, written comments must be received by the close of business April 27.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business April 27 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell Secretary of Health and Environment

Doc. No. 022182

#### State of Kansas

### Department of Health and Environment

#### **Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Air Capitol Plating, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to add three spray booths. Emissions of volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) were evaluated during the permit review process.

Air Capitol Plating, Inc. owns and operates the stationary source located at 1702 S. Knight St., Wichita, at which

the spray booths are to be constructed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Wichita-Sedgwick County Department of Community Health, 1900 E. 9th, Wichita. To obtain or review the proposed permit and supporting documentation, contact Daizy Dandass, (785) 296-6427, at the KDHE central office, or John Stark, (316) 268-8449, at the Wichita-Sedgwick County Department of Community Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Daizy Dandass, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close

of business April 27.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business April 27 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell Secretary of Health and Environment

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State of Kansas

## Department of Health and Environment

### Notice Concerning Hazardous Waste Facility Closure

The Kansas Department of Health and Environment has received investigation and remediation documents from the Kansas Army Ammunition Plant (KSAAP) for closure of the 700 Area at the army installation at Parsons, Kansas. The 700 Area at KSAAP is located in the north-central part of the installation and covers approximately 38 acres. In accordance with K.S.A. 65-3453, KDHE issued a Consent Order (Case No. 89-E-20) in March 1989 to KSAAP requiring further investigation, remediation and closure of the 700 Area as a Resource Conservation and Recovery Act (RCRA) regulated disposal unit. The Army installation operates under a RCRA permit with an EPA identification number KS0213820467 for other regulated units.

Several documents have been submitted to KDHE in response to the requirements of the Consent Order. RCRA mandates that the public be given the opportunity to review and comment on these documents, which include the results of the site investigations and assessments of cleanup actions for the 700 Area. The 700 Area was put into service in 1942. This production area was used for loading, assembling and packing the M-55 detonator, the M-210 lead cup, boosters and expulsion charges. Between 1942 and the present, the 700 Area was periodically deactivated and reactivated. The 700 Area production-line generated wastewater was contaminated with explosives and metal compounds. Explosives such as lead azide and RDX were used in this production area for the manufacture of munitions. Before 1970, wastewater that was generated from washing down the interior of buildings where explosives were handled flowed into concrete sumps via trough systems. The trough systems were located just outside of each of the buildings. Sodium hydroxide was added to the wastewater in the sumps as a final step in the kill procedure of any residual reactivity of explosives. The kill solution was then allowed to overflow the sumps into drainage ditches, which eventually lead to two ponds south and southwest of the 700 Area. These ponds drain to intermittent streams leading to Labette Creek approximately 2 miles downstream of each pond. During the time this procedure was followed, the wastewater contaminated the soil, sediment, surface water and groundwater of the area of the sumps, ditches and ponds. To provide for early remediation of sources of contaminated soil containing high concentrations of metals and explosives, an interim soil removal action is being planned for the late spring or early summer of 1998.

Public involvement is an important part of RCRA. The public must be notified of significant actions related to the Consent Order for the 700 Area at KSAAP. The following documents have been placed in the KSAAP repository at the Parsons Library and are available for pub-

lic review and comment:

1) The Kansas Department of Health and Environment CONSENT ORDER Case No. 89-E-20, April 3, 1989.

2) Radian, 1995b. Pre-Remedial Design Investigation Final Report for the 700 Area, Kansas Army Ammunition Plant, Parsons, Kansas, February 1995.

3) Radian International, LLC-Austin, Texas (Radian), 1996. Human Health Risk Assessment for the 700 Area, Kansas Army Ammunition Plant, Parsons, Kansas, May 1996.

4) Radian International, LLC, Austin, Texas (Radian), 1997. Soil and Sediment Engineering Report for Remedial Action Alternatives for the 700 Area, Kansas Army Ammunition Plant, Parsons, Kansas, May 1997.

5) Radian International, LLC, Austin, Texas (Radian), 1998. Chemical Fixation-Stabilization Treatability Study,

March 1998.

6) Radian International, LLC, Austin, Texas (Radian), 1998. Draft 700 Area Interim Soil Removal Action Plan, Specifications, and Associated Plans, March 1998.

KDHE will accept written comments on the above documents for a period of 30 days beginning April 1. All comments must be postmarked by April 30 to be considered. Requests for additional information may be made via telephone at (785) 296-1601 or KDHE's e-mail address at: pfunk@kdhe.state.ks.us.

Comments regarding documents and the proposed interim soil removal action for the 700 Area at KSAAP may be submitted in writing via letter or e-mail to Dennis Degner, Ph.D., P.E., Chief, Permits Section, Kansas Department of Health and Environment, Bureau of Waste Management, Building 740, Forbes Field, Topeka, 66620-0001,

e-mail address: pfunk@kdhe.state.ks.us.

In addition to the availability of the above referenced documents, representatives from KSAAP, the Army Corps of Engineers, their environmental consultants and KDHE will be conducting an informational meeting concerning the interim soil removal action from 7 to 8 p.m. Tuesday, March 31, in the meeting room at the Parsons Public Library. The public is invited to this presentation to ask questions and provide comments. For further information concerning this meeting, call (785) 296-1601.

Gary R. Mitchell Secretary of Health and Environment

Doc. No. 022195

#### State of Kansas

# Department of Health and Environment

### Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will

(continue

result in a state water pollution control permit and national pollutant discharge elimination system authorization subject to certain conditions.

#### Public Notice No. KS-AG-98-41/49

Name and Address	Legal	Receiving
of Applicant	Description	Water
Curtis Doxon	W/2 of Section 7,	Republican River
P.O. Box 322	T5S, R7W, Jewell	
Jewell, KS 66949	County	

Kansas Permit No. A-LRJW-H003 Federal Permit No. KS-0094404
This is a new facility for 7,200 head (2,880 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 1.0 acre inch per acre per year.

Dewatering equipment shall be obtained within three months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 340 gallons per minute and dispersing the wastewater over 216.7 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Name and Address	Legal	Receiving	
of Applicant	Description	Water	
J-Six Farms, Inc.	N/2 of Section 32,	Nemaha River	1 4
John Kramer	T4S, R13E, Nemaha		
32 S. 6th	County		
Sanaca KS 66538		Agent Comments	

Kansas Permit No. A-MONM-H002 Federal Permit No. KS-0090191

This is an expansion of an existing facility for 9,650 head (2,620 animal units) of swine. This permit has been modified to correct erroneous calculations made in the February 27, 1997, public notice. The modifications were made to correct erroneous calculations in the total number of head, the total number of animal units, and the required minimum acreage for disposal area.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Meyer Land & Cattle Co.	NW and SW/4,	Saline
MLC II Facility	Sec. 28, T12S,	
Chris & Timothy Meyer	R10W,	Elegista e Projecti.
P.O. Box 305	Lincoln County	
Sylvan Grove, KS 67481		

Kansas Permit No. A-SALC-C002 Federal Permit No. KS-0088722

This is an existing facility for 2,250 head (2,250 animal units) of cattle. Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE

water storage capacity is provided which meets or exceeds minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against number and leaching waste application rates based on group nutrient

and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided

by the department. A plan shall be submitted to the department within 60 days of permit issuance. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Midwest Feeders, Inc. 05013 13 Road	SE/4 of Sec. 24, NE/4 of Sec. 25,	Upper Arkansas River Basin
Ingalls, KŞ 67853	T24S, R29W and N/2 of Sec. 19.	
	T24S, R28W,	
	Gray County	

Kansas Permit No. A-UAGY-C005 Federal Permit No. KS-0115169
This is an expansion facility for 52,700 head (52,700 animal units) of beef.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Previous and current applications stated that two 450 gpm, one 600 gpm and one 800 gpm pumps are available for the pumping of wastewater from the lagoons. The department's calculations show that approximately 3,590 gpm will be required to pump down to the required storage volumes. Additional pumps must be purchased, leased or rented to meet this pumping requirement. This permit will not become final (valid) until the pump-out issue has been satisfactorily resolved.

Name and Address of Applicant	Legal Description	Receiving Water
Murphy Family Farms	SE/4 of Sec. 17,	Upper Arkansas
Smoky Hill/Cheyenne	T17S, R29W,	River Basin
P.O. Box 1066	Lane County	
Laverne, OK 73848		

Kansas Permit No. A-UALE-H001 Federal Permit No. KS-0094455 This is a new facility for the confined feeding of 30,976 head (11,430 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Existing controls meet KDHE requirements.

Name and Address	J	Legal	101 33	Receiving	
of Applicant	1	Description		Water	
Floyd H. Nickel	1	SE/4 of Section	n 7,	Little Arkar	ısas
Woody Brook Farm		T21S, R1E, Ma	rion	River	
Route 2, Box 95		County			
Newton, KS 67114	1944		100	ter En stern	1111

Kansas Permit No. A-LAMN-B002

This is a new facility for 300 head (300 animal units).

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within 60 days of permit issuance. The approved plan will become part of this permit.

Dewatering equipment shall be obtained within three months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 95 gallons per minute and dispersing the wastewater over 39 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Depth to groundwater shall be physically verified during construction.

If the minimum 10 ft. separation between the lagoon floor and the

top of the groundwater table is not provided, the permit will be modified to require groundwater monitoring.

Name and Address of Applicant Poky Feeders, Inc. Route 2, Box 166 Scott City, KS 67871 Legal Description S/2 of Sec. 18 Receiving Water

and SW/4 of Sec. 8, T20S, R32W, Scott

Upper Arkansas River Basin

County

Kansas Permit No. A-UASC-C017 Federal Permit No. KS-0086576

This is an expansion facility for 32,450 head (32,450 animal units) of beef cattle, 3,200 head of swine (1,280 animal units) and an addition of 5,000 head (500 animal units) of sheep due to the purchase of Su-

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Staff gauges to check pond depth must be installed in any of the lagoons that are not already equipped. The gauge should be marked in at least one-foot increments, readable to the nearest half foot.

Permeability tests must be completed on the two existing cattle lagoons located in the northwest and north center areas as well as the new cattle lagoon located in the southeast area of the feedyard. The results of the permeability tests must be sent to Susan Turner at the KDHE Southwest District Office, 302 W. McArtor, Dodge City, KS

The application identified 277 acres of land available for wastewater disposal. Approximately 130 acres was dedicated to the swine waste and 147 acres to the cattle wastewater. To adequately dispose of wastewater generated by the cattle facility, more than the 147 acres need to be utilized. The facility's consultant, Mike Hawkins, has indicated that an additional 1/4 Section may be available. If this is correct, a copy of a spreading easement or agreement and the location of the property is needed. KDHE will continue to process the draft permit, but will withhold final issuance until the spreading issue has been satisfactorily resolved.

Name and Address of Applicant Kent M. Sterk Route 2, Box 133

Legal Description SE/4 of Sec. 34,

Receiving Water Neosho River

T20S, R1E, Marion

Newton, KS 67114 County Kansas Permit No. A-NEMN-M023

This is a new facility for 150 head (210 animal units) of dairy cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Existing controls meet KDHE requirements.

Name and Address of Applicant Trego Center Dairy Bruce Mai Route 2, Box 58A

WaKeeney, KS 67672

Legal Description SE/4 of Sec. 21, T13S, R23W, Trego

Receiving Water Smoky Hill River

County

Kansas Permit No. A-SHTR-M003

This is an existing facility for 50 head (70 animal units) of dairy cows. Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Existing controls meet KDHE requirements.

#### Public Notice No. KS-98-021/024

Name and Address of Applicant City of Salina 300 W. Ash P.O. Box 736 Salina, KS 67402-0736

Waterway Smoky Hill River Type of Discharge Treated domestic wastewater

Kansas Permit No. M-SH33-IO01

Federal Permit No. KS0038474

Legal: S8, T14S, R2W, Saline County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating domestic wastewater. The proposed permit contains final discharge limitations pursuant to K.S.A. 65-1,175 et seq., fka 1997 HB 2368. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, fecal coliform, ammonia, dissolved oxygen, pH and biomonitoring; and monitoring requirements for chlorides, sulfates, flow, heavy metals and priority pollutants. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Name and Address of Applicant Waterway Treated domestic City of Westphalia Marais des Cygnes City Hall River via Westphalia, KS 66093 Pottawatomie Creek via Cherry Creek via unnamed tributary

Kansas Permit No. M-MC49-OO01

Federal Permit No. KS0082996

Type of Discharge

wastewater

Legal: SW1/4, S26, T21S, R17E, Anderson County

Facility Description: The proposed action is to issue a new permit for the discharge of treated wastewater from a new three-cell lagoon system treating domestic wastewater. The proposed permit contains a schedule of compliance requiring the facility to obtain the services of a KDHE-certified operator. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant City of Russell City Hall P.O. Box 112 Russell, KS 67665

Waterway Fossil Creek via unnamed tributary

Type of Discharge Treated domestic wastewater

Kansas Permit No. M-SH31-OO02 Federal Permit No. KS0091367 Legal: E1/4, S35, T13S, R14W, Russell County

Facility Description: The proposed action is to issue a modified permit for the discharge of treated wastewater from a four-cell lagoon system treating primarily domestic wastewater. The original permit, issued July 15, 1995, contained higher monitoring frequency requirements because the treatment facility was new, and it provided treatment for wastewater from two industries. Supplemental conditions provided for KDHE to review the data from the initial monitoring period and, if no reasonable potential to violate effluent requirements was determined from that data, KDHE would reduce the frequency and number of parameters for which monitoring is required. The modifications to the proposed permit reflect the results of the reasonable potential calculations. A requirement for a priority pollutant scan has been added. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address Type of of Applicant Waterway Discharge Harshman Construction Co. Cottonwood River Quarry dewatering and via unnamed Florence Quarry Route 1 stormwater tributary Cedar Point, KS 66843

Kansas Permit No. I-NE26-PO02

Federal Permit No. KS0089184

Legal: SW1/4, S5, T21S, R5E, Marion County

Facility Description: The proposed action is to reissue an existing permit a discharge of seepage wastewater, stormwater and settled rock washing water from an exist quarry. The proposed permit was previously public noticed on February 26, 1998, as a non-rock washing facility. The permittee has since indicated rock washing will occur in the quarry. This is a limestone quarrying and crushing operation with some washing. Any discharge is from a settling pond that receives wash water and stormwater runoff. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-

(continued)

16-28(b-f), and federal surface water criteria, and are technology based.

#### Public Notice No. KS-ND-98-007

Name and Address of Applicant

Wakarusa Valley Elementary School 3705 Clinton Parkway Lawrence, KS 66047

**Legal Location** SW1/4 S21, T13S, R19E, Douglas County

Type of Discharge

Nonoverflowing

Kansas Permit No. M-KS31-NO06

Legal: 1104 E. 1000 Road, Lawrence, KS 66046

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility treatment system. The facility consists of two-cell wastewater stabilization lagoon treating domestic wastewater. The proposed permit contains a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator.

#### Public Notice No. KS-EG-98-007/012

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the wells described below within the State of Kansas.

Name and Address of Applicant

Morton Salt Co. c/o Ed Willse P.O. Box 1547 Hutchinson, KS 67504-1547

Well Identification #NW 2-1 KS Permit No. KS-03-155-123

Well Identification #NW2-2 KS Permit No. KS-03-155-124

Well Identification #NW2-3 KS Permit No. KS-03-155-125

Well Identification #NW2-4 KS Permit No. KS-03-155-126

Well Identification #NW2-5 KS Permit No. KS-03-155-127

Well Identification #NW2-6 KS Permit No. KS-03-155-128 **Well Location** 

NW1/4, SE1/4, NE1/4, S22, T23S, R6W, Reno County, 3595' fsl and 1046' fel from SE corner of Section NW1/4, SE1/4, NE1/4, S22, T23S, R6W, Reno County, 3895' fsl and 1066' fel from SE corner of Section SW14, NE14, NE14, S22, T23S. R6W, Reno County, 4195' fsl and 1066' fel from SE corner of Section SW1/4, NE1/4, NE1/4, S22, T23S, R6W, Reno County, 4495' fsl and 1066' fel from SE corner of Section NW1/4, NE1/4, NE1/4, S22, T23S, R6W, Reno County, 4795' fsl and 1066' fel from SE corner of Section NW1/4, NE1/4, NE1/4, S22, T23S, R6W, Reno County, 5095' fsl and 1063' fel from SE corner of Section

Description: The facility is a salt production plant. The fluids to be injected are fresh water and weak brine.

Written comments on the draft permits must be submitted to the attention of Dorothy Geisler for agricultural permits or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received on or before April 25 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-98-41/49, KS-98-021/024, KS-ND-98-007, KS-EG-98-007/012) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination for publication and/ or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The applications, proposed permits, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 5 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

> Gary R. Mitchell Secretary of Health and Environment

Doc. No. 022183

State of Kansas

#### Kansas Lottery

#### **Temporary Administrative** Regulations

#### Article 1.—GENERAL OPERATIONS

111-1-3. Information required from vendors. (a) For each vendor being considered for the award of a major procurement contract as defined in the Kansas Lottery. Act, the executive director may require the information listed in subsection (b) for each of the following persons associated with such vendor, each subsidiary or other business in which the vendor owns a controlling interest, and each subcontractor which the vendor is using or intends to use in performance of such contract.

(1) All officers and directors.

(2) All persons who own a 5% or more interest. (3) All persons who own a controlling interest.

(4) All employees who are or will be in a position where they could have an opportunity to compromise the random selection of lottery game winners, including all employees of the on-line vendor(s) who are located in

(b) The executive director may require the following information with regard to each person listed in subsec-

(1) Biographical data, including three sets of fingerprints, as needed to do a criminal background investigation.

(2) History of past residences, schooling and employ-

(3) Financial and credit data, character references and civil litigation history which relates to the person's honesty, integrity and financial stability, including copies of federal income tax returns for the past five years.

(c) For each vendor being considered for the award of a major procurement contract as defined in the Kansas

Lottery Act, the executive director may request the vendor to supply the following additional information:

A list of the names and addresses of all businesses which currently supply goods or services to the vendor.

(2) A list of each agency or business to which the vendor has, within the previous five years, submitted a bid for goods or services, whether or not the vendor was awarded the contract with such agency or business. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-88-25, July 31, 1987; amended, T-111-3-4-98, March 4, 1998.)

#### **Article 2.—LOTTERY RETAILERS**

111-2-1. Application to become a lottery retailer.

(a) Persons or businesses wanting to sell lottery tickets or shares shall apply to the Kansas lottery on forms available through the lottery headquarters in Topeka or

through any lottery regional office.

(b) Each application to become an all games lottery retailer shall be accompanied by a fee of \$150.00. All fees shall be non-refundable once a contract is fully executed and a lottery retailer certificate issued. Prior to contract execution and the issuance of a certificate, should the lottery reject or the applicant withdraw an application, the lottery shall refund all but \$50.00 of the application fee. Any applicant receiving a certificate is authorized to sell all Kansas lottery games.

(c) Lottery retailers other than pull-tab only retailers

shall be subject to the following:

(1) They are required to have dedicated telephone lines

for which they will be charged \$10.00 per week.

(2) Certain retailers whose businesses are seasonal, or are based at events in which Kansas lottery staff is participating, and regularly occur four or fewer days a week during the season, may qualify for cellular telephone services rather than dedicated telephone lines. There shall be no service charges for those on-line retailers selected to receive cellular telephone services available from the lottery.

(d) An applicant to become an all games lottery retailer shall actively offer for sale current instant games offered by the lottery, unless approved by the executive director as a "social environment establishment" defined at K.A.R. 111-6-1, and all on-line games offered by the lottery.

(e) Each application to become a pull-tab only retailer shall be accompanied by a fee of \$25.00, unless the applicant has applied to become an instant and on-line retailer and paid the appropriate fee. All pull-tab applica-

tion fees shall be non-refundable.

(f) An applicant receiving a lottery retailer certificate pursuant to K.S.A. 74-8708, as amended, may apply for a temporary lottery retailer certificate, good for no more than fourteen days, at a specific location, for special lottery events and other events approved by the executive director. An application for a temporary lottery retailer certificate shall designate the event and the specific location where tickets will be sold.

(g) No sale shall be made at any location outside the state of Kansas or any location not authorized by the ex-

ecutive director or his designee.

(h) No natural person shall be selected as a lottery retailer who is the executive director, a member of the commission or an employee of the Kansas lottery; an officer or employee of a vendor contracting with the Kansas lot-

tery to supply gaming equipment or tickets to the Kansas lottery for use in the operation of any lottery conducted pursuant to this act; a spouse, or a person who resides in the same household as any person described in this subsection. (Authorized by K.S.A. 1997 Supp. 74-8710; implementing K.S.A. 74-8708 and K.S.A. 1997 Supp. 74-8710; effective, T-88-38, Sept. 28, 1987, amended, T-88-61, Dec. 19, 1987; amended, T-111-12-1-88, Dec. 1, 1988; amended, T-111-2-28-95, Feb. 17, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-9-97, April 18, 1997; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-3-4-98, March 4, 1998.)

111-2-2. Qualifications of lottery retailers. (a) In addition to the qualifications and restrictions set forth in K.S.A. 74-8708 and amendments thereto, the executive director shall also consider the following factors in selecting lottery retailers:

(1) The sufficiency of existing retailers to serve the

public interest.

(2) The current and potential sales volume of the ap-

plicant.

(3) The types of products, services, or entertainment offered at the applicant's place of business and their effect upon the credibility, integrity and reputation of the Kansas lottery.

(4) That all locations from which Kansas lottery products will be sold or purchased are within the state of Kan-

sas.

- (b) To sell instant or on-line lottery tickets, a retailer must have a current retailer certificate and must be actively engaged in the sale of current instant games offered by the lottery unless approved by the executive director as a social environment establishment as defined in K.A.R. 111-6-1(1).
- (c) Retailers whose business is seasonal may request that lottery ticket sales be suspended and their accounts placed on hold during the time the business is closed subject to approval by the executive director. During the seasonal period those businesses placed on hold will not be required to sell lottery tickets pursuant to subsection (b) above.
- (d) In addition to the qualifying standards to be selected as a lottery retailer provided by K.S.A. 74-8708, and amendments thereto, the same qualifying standards may be required for employees of the applicant for a retailer certificate as deemed necessary by the executive director. (Authorized by K.S.A. 1997 Supp. 74-8710; implementing K.S.A. 74-8708 and K.S.A. 1997 Supp. 74-8710; effective T-88-25, July 15, 1987; amended, T-111-10-31-90, Oct. 19, 1990; amended, T-111-7-30-93, July 23, 1993; amended, T-111-3-4-98, March 4, 1998.)
- 111-2-67. Independent retailers' Pick 3 sales promotion. In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also offer the following as a bonus incentive to enhance the sale of Pick 3 tickets to the following independent retailers:

Name of Retailer	Location	Region
Eastboro Retail Liquor	Topeka	Topeka
Conoco Food & Go 1	Topeka	Topeka
Petro Deli 1	Topeka	Topeka
Gage Center Bowl	Topeka	Topeka
	•	(continued)

	Rex's Texaco	Topeka	Topeka
	Maple Hill Truck Stop	Maple Hill	Topeka
	Lyndon 66	Lyndon	Topeka
	Judy's Junction General,		
	Inc.	Lawrence	Topeka
	Hillcrest Amoco		
	Foodshop	Lawrence	Topeka
	Wehner Retailer Liquor	Lawrence	Topeka
	Deli Shop	Clay Center	Topeka
	Rambler's Bar & Grill	Manhattan	Topeka
	J & D Ent., Inc.	Marysville	Topeka
	Bowinkles	Manhattan	Topeka
	Hallauer Oil Co.	Holton	Topeka
	Olathe Phillips 66	Olathe	Topeka
	Dees Mini Mart	Edgerton	Topeka
	B & J Short Stop, Inc.	Olathe	Topeka
	Louisburg Amoco		
	Foodshop	Louisburg	Topeka
	Mel's Bait, Tackle &		
	Party Shop	Spring Hill	Topeka
	Farris & Stathas Retail		_ ,
	Liquor	Kansas City	Topeka
	The Party-Deli Shop	Kansas City	Topeka
	B & B Party Shop	Kansas City	Topeka
	Kay's Korner	Kansas City	Topeka
	Snack-Eze	Kansas City	Topeka
`	Quick Shop	Atchison	Topeka
	Terry's Thriftway	Valley Falls	Topeka
	Herrig's Hilltop	Easton	Topeka
	Nigus' Retail Liquor	Hiawatha	Topeka
	Farm Market	Kansas City	Topeka
	Foxhill Liquor	Overland Park	Topeka
	Stouts' Corner, Inc.	Linwood	Topeka
	JB's One Stop	Lenexa	Topeka
	JJ's Sports Bar	Overland Park	Topeka
	Arnold Liquor	Overland Park	Topeka
	Hoover's Thriftway	Burlington	Topeka
	Allen Retail Liquor	Auburn	Topeka
	Price Chopper	Emporia	Topeka
	Westwood Kwik Sak	Junction City	Topeka
	Regelman Liquor Store	Junction City	Topeka
	Ampride	Great Bend	Great Bend
٠.	Domino Food & Fuel	Medicine Lodge	Great Bend
	Big M Truck Stop	Hutchinson	Great Bend
	Town Pump	Hutchinson	Great Bend
	Haldon's	Sterling	Great Bend
	Mini Super Mart	Ness City	Great Bend
	Tabor Liquor	Garden City	Great Bend
	Mohs Liquor	Elkhart	Great Bend
	Ron's Market	Holcomb	Great Bend
	Ladder Creek	Tribune	Great Bend
	USA Express	Russell	Great Bend
	Corner Cupboard	Osborne	Great Bend
	United Ag Service	Victoria	Great Bend
	Ken's Retail Liquor	Kensington	Great Bend
	Lucky Bucks Bingo	Hays	Great Bend
	Kugler Oil	St. Francis	Great Bend
	Schneider Retail Liquor	McDonald Oaklow	Great Bend
	Oakley J Mart	Oakley	Great Bend
	Trego Bowl & Sports O'Briens	WaKeeney	Great Bend
,	DK's	Norton Delphos	Great Bend Great Bend
		Delphos	Great Delia
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Rod's Texaco	Salina	<b>Great Bend</b>
Moose Lodge	Salina	Great Bend
Corner Store	Abilene	Great Bend
Midway Oil	McPherson	Great Bend
Constant Oil	Larned	Great Bend
Pit Shop	Fowler	Great Bend
VFW #1714	Dodge City	Great Bend
FunCenter 24 Bowl	Dodge City	Great Bend
Santa Fe Crossing—		
Ampride	Cimarron	Great Bend
T & T	Wichita	Wichita
Thunderbird Bowling	Wichita	Wichita
RSL Retail Liquor	Wichita	Wichita
L & L Family Cafe	Wellington	Wichita
Mike's Steak House		
Lounge	Wichita	Wichita
The Liquor Cabinet	Wichita	Wichita
1 Stop Corporation	Wichita	Wichita
AJ's Bar & Grill	Wichita	Wichita
Spanky's	Caldwell	Wichita
J & J Fine Liquor	Wichita	Wichita
32nd St. Quik Stop	Parsons	Wichita
W. C. Express Lane	Scammon	Wichita
Arma Express	Arma	Wichita
Saragene's	Pittsburg	Wichita
Joseph's Quick Shop	Galena	Wichita
Hall's Food Mart	Chanute	Wichita
Mike's, Inc.	Independence	Wichita
Hi-Way Food Basket, Inc.	Yates Center	Wichita
Zip Trip Market Cor.	Cherryvale	Wichita
Bowser Midget Mart	Coffeyville	Wichita
Triple S Ranch Supply	El Dorado	Wichita
Kistlers Service 1	Udall	Wichita
Agra-Mart	Wichita	Wichita
Potters Retail Liquor	Arkansas City	Wichita
Ervin's Convenience Stop	Severy	Wichita
Hills Retail Liquor	Newton	Wichita
Kraus A F, Inc. 2	Andale	Wichita
Powers Retail Liquor	Wichita	Wichita
Broadway Laundry	Wichita	Wichita
Lad Han-D-Stop	Kingman	Wichita
(a) The Pick 3 sales pro	motion will com	mence at 6:00

(a) The Pick 3 sales promotion will commence at 6:00 a.m. on Thursday, January 1, 1998, and end at the end of the business day as defined at K.A.R. 111-6-1 on Saturday, January 31, 1998.

(b) The base period used for determining the stores eligible for the contest shall be derived from Pick 3 ticket sales for a one-month period from January 1, 1997, through the end of the business day on January 31, 1997. A minimum base of \$20 will be established for partici-

pating retailers.

(c) At the end of the Pick 3 sales promotion, one store in each of the three regions, Topeka, Wichita and Great Bend, will win a color television set. One color television set will be awarded per region and the winner will be determined by a drawing. With each five percent increase in Pick 3 sales during the sales period over the base period, the store will receive an entry into the drawing. No retail location shall be entitled to more than 20 entries regardless of sales increase. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-12-18-97, Dec. 11, 1997; amended, T-111-3-4-98, March 4, 1998.)

- 111-2-70. "Ask for the sale" promotion. (a) During the period beginning February 1, 1998, and ending February 28, 1998, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all Dara's Fast Lane stores located in Kansas an opportunity to participate in a bonus retailer "ask for the sale" incentive promotion of lottery tickets.
- (b) On each Wednesday in February 1998, including February 4, 11, 18, and 25, all Dara's Fast Lane stores' personnel selling Kansas lottery tickets will ask every adult customer making a purchase if the customer would like to purchase a lottery ticket. If the employee fails to ask adult customers for the purchase of a lottery ticket and the customer brings it to the clerk's attention before leaving the premises, the retailer shall give the adult customer one \$1.00 instant lottery ticket at no charge.
- (c) All retailer employees at each location shall wear promotional buttons and display special point-of-sale materials provided by the lottery each Wednesday from 7:00 a.m. to 7:00 p.m. during the promotion announcing the promotion to its customers. These promotional materials consist of:
- (1) A tent card to be displayed at the point where tickets are sold.
- (2) A window/monitor banner to be displayed at the front entrance of the business and/or below the lottery information display system monitor.

These materials must be on display during all hours of the promotion at the times and dates established in subsections (b) and (c) for a store to be eligible for a prize.

- (d) The Kansas lottery will provide each location with a credit of \$35. This will be credited to each store's account at the beginning of the promotion.
- (e) Any tickets given away above the \$35 allowance representing 35 tickets per location will be the responsibility of Dara's, Inc.
- (f) Each retail location shall maintain a ticket log form to be completed every time a lottery ticket is given away. The log will be picked up by the Kansas lottery district manager servicing the retailer location at the end of the promotion.
- (g) At the end of the promotion, one store will win a \$300.00 pack of instant tickets selected by the lottery. The pack will be awarded with the winner being determined by a drawing. With each five percent increase in total sales during the sales period over the base period, the store will receive an entry into the drawing. Promotional items will also be awarded to the first, second, and third place stores based on the percentage increase in total lottery sales over the predetermined base. The base sales period for Dara's Fast Lane stores will be the 28 day average sales based upon total lottery sales from February 1, 1998, through February 28, 1998, compared to total sales from February 1, 1997, through February 28, 1997. (Authorized by K.S.A. 1997 Supp. 74-8710; implementing K.S.A. 1997 Supp. 74-8710 and K.S.A. 74-8708; effective, T-111-3-4-98, March 4, 1998.)
- 111-2-71. "Ask for the sale" promotion. (a) During the period beginning February 2, 1998, and ending February 8, 1998, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all partic-

ipating Total stores located in Kansas an opportunity to participate in a bonus retailer "ask for the sale" incentive promotion of instant tickets as follows:

- (b) On each day, February 2, 1998, through February 8, 1998, from 6:00 a.m. to 1:00 a.m., all Total store personnel selling Kansas lottery tickets will ask every adult customer making a purchase if the customer would like to purchase an instant ticket. If the employee fails to ask adult customers making a purchase whether they want to purchase an instant ticket before leaving the premises, and the customer brings it to the clerk's attention, the retailer shall give that adult customer one \$1.00 instant ticket at no charge.
- (c) The retailer at each location shall display special point-of-sale materials provided by the lottery during the promotion announcing the promotion to its customers. These materials consist of:
- (1) A tent card to be displayed at the point where tickets are sold.
- (2) A window/monitor banner to be displayed at the front entrance of the business and/or below the lottery information display system monitor.
- (3) Promotion specific buttons. These materials must be on display during all hours of the promotion on the times and dates established in subsection (b) for a store to be eligible for a prize.
- (d) The Kansas lottery will provide each location with a credit of \$35.00. This will be credited to each store's account at the beginning of the promotion.
- (e) Any tickets given away above the \$35.00 allowance representing 35 tickets per location will be Total Petroleum's responsibility.
- (f) Each retail location shall maintain a ticket log form to be completed every time an instant ticket is given away because an employee forgot to ask for the sale. The log will be picked up by the Kansas lottery district manager servicing the retailer location at the end of the promotion.
- (g) At the end of the promotion, the Total store with the greatest percentage increase in instant ticket sales for the period from February 1, 1998, through February 28, 1998, over the period from February 1, 1997, through February 28, 1997, will win a \$300.00 pack of instant tickets selected by the lottery. The second place store will receive \$100.00 worth of instant tickets selected by the lottery. The third place store will receive promotional items. (Authorized by K.S.A. 1997 Supp. 74-8710; implementing K.S.A. 1997 Supp. 74-8710 and K.S.A. 74-8708; effective, T-111-3-4-98, March 4, 1998.)

#### **Article 3.—INSTANT GENERIC GAME RULES**

- 111-3-1. Definitions. The following definitions apply to all instant ticket games: (a) "Bare arm technique" means a type of drawing in which the person drawing the winning ticket from the receptacle or drum wears a short-sleeved (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm.
- (b) "Book" means a pack of fanfolded instant game tickets which are attached to each other by perforations, which perforations the retailer tears when selling a ticket from the book.

(continued)

(c) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. The book-ticket number is a number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000. The book-ticket number is printed in black ink on the ticket below the bar code and above the space for the player's name and address.

(d) "Claimant" means a holder of a ticket who pres-

ents it for payment of a prize.

(e) "Co-sponsor drawings" are the acts of drawing for prizes which may be held subsequent to the lottery drawings.

(f) "Co-sponsor(s)" means the person, retailer or organization designated by the executive director to assist in organizing and participating in the lottery drawings.

(g) "Drawings" are the acts of drawing prizes con-

ducted by the Kansas lottery.

(h) "Drum" means a container which can be sealed and rotated for the purpose of mixing, and into which instant tickets are placed for the purpose of drawing preliminary and/or final drawing winners.

(i) "Executive director" means the executive director of the Kansas lottery, or the person designated by the

executive director.

- (j) "Instant game" means a lottery game in which a ticket is purchased by a player and the player can immediately determine whether he or she has won a prize by removing the removable covering on the ticket and comparing the exposed play numbers or symbols with those specified as winners in the published game rules for that instant game.
- (k) "Lottery retailer" or "retailer" means a person or business authorized by the lottery to sell lottery tickets.
- (l) "Lottery security" means the lottery security officer or a certified law enforcement officer(s) designated by the executive director or the person designated by the executive director.

(m) "Non-winning ticket" means any valid Kansas instant game lottery ticket not eligible to win a prize under

any instant game rules.

(n) "Participant" means any person, player, or contestant participating in a lottery game and anyone designated by a prize winner to appear on his or her behalf for any lottery game including any lottery drawing or televised draw show. In the event the prize winner or his or her designee fails to appear for a drawing or televised draw show, the executive director may designate an adult who may be a member of his staff to participate on behalf of the non-appearing prize winner. Any prize won by a participant appearing through a designee shall be payable to and delivered to the prize winner as provided by these rules and regulations.

(o) "Play area" is the portion of the front of each instant game ticket where the play or game symbols appear. It is covered by a removable layer of material which is intended to be removed ("scratched off") by the player

to reveal the play or game symbols.

(p) "Play symbols" or "game symbols" are the numbers, letters, symbols, or pictures printed in the play area

of each instant game ticket and which determine if the ticket holder is entitled to a prize.

(q) "Play symbol captions" or "game symbol captions" are the words or portions of words printed beneath each play or game symbol in the play area and are used to repeat or explain the play or game symbol. The play or game symbol caption associated with each play or game symbol is designated by the rules of the game.

(r) Prize tiers:

(1) "Low-tier prize" means a lottery instant game prize not exceeding \$599.00.

(2) "High-tier prize" means a lottery instant game

prize in excess of \$599.00.

(s) "Receptacle" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the drawings are made. Receptacles shall be sealable and capable of being mixed.

(t) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer.

(u) "Special event" means a drawing or other method of awarding an additional prize or prizes within a group of lottery instant game winners as defined by the rules for a particular instant game.

(v) "Ticket holder" or "holder" means the person who has possession of an unsigned ticket or the person whose signature appears in the area upon a licket designated for

signature.

- (w) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. The ticket validation number appears under the removable covering on the front of each instant ticket.
- (x) "Activated book" means book or pack of instant tickets activated on the lottery's computer system, which is available for sale to the public by a lottery retailer.
- (y) "Consigned book" means a full book or pack of instant tickets sealed in shrink wrap and delivered to a certified Kansas lottery retailer, which is designated on the lottery's computer system as consigned and has not been made available to the public. (Authorized by and implementing K.S.A. 1997 Supp. 74,8710; effective, T-88-39, Oct. 15, 1987; amended, T-89-7, Feb. 26, 1988; amended T-111-12-28-89, Dec. 21, 1989; amended, T-111-10-10-90, Sept. 15, 1990; amended, T-111-12-21-90, Dec. 14, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-12-20-93, Dec. 16, 1993; amended, T-111-11-8-94, Oct. 20, 1994; amended, T-111-6-5-95, May 31, 1995; amended, T-111-3-4-98, March 4, 1998.)
- 111-3-13. Ticket validation requirements. (a) Each instant game ticket shall be validated prior to payment of a prize. Submission of a valid winning ticket to and receipt of the ticket by the lottery or one of its authorized retailers shall be the sole method of claiming a prize or prizes.

(b) Besides meeting all other requirements in these rules and those printed on the back of each instant ticket, the following validation requirements shall apply to all

tickets for instant games:

(1) The ticket must have been issued by the Kansas lottery in an authorized manner and must not be counterfeit in whole or in part.

- (2) The ticket shall be intact to the extent that the lottery can determine whether the ticket is a winning ticket.
- (3) The ticket must not be altered or tampered with in
- (4) The ticket must not be blank or partially blank, miscut, misregistered, defective, or printed or produced in
- (5) The display printing on the ticket must be regular in every respect and correspond precisely with the artwork on file at the Kansas lottery.

(6) The ticket must not be stolen nor appear on any list

of omitted tickets on file at the Kansas lottery.

(7) Play symbols must appear in the play area. Each play symbol must be exactly as described in specific game rules.

(8) Each play symbol must have a play symbol caption underneath, and each play symbol caption must agree with its play symbol. Each play symbol caption must be exactly as described in specific game rules.

(9) Each of the play symbols and play symbol captions must be present in its entirety, fully legible, right side up, not reversed in any manner, and correspond precisely to

the artwork on file at the Kansas lottery.

(19) The ticket must have exactly one ticket validation number, one book-ticket number and one retailer validation code, each of which must be present to the extent that the lottery can determine whether the ticket is a winning ticket, and correspond precisely to the artwork on file at the Kansas lottery. The ticket validation number shall correspond, using the Kansas lottery codes, to the play symbols on the ticket.

(11) The ticket validation number of an apparent winning ticket shall appear on the Kansas lottery's official list of ticket validation numbers of winning tickets and a ticket with that ticket validation number shall not have

been paid previously.

(12) The ticket must pass all additional confidential

validation tests of the Kansas lottery

(c) Any ticket not passing all of the validation checks stated in this section is void and ineligible for any prize. However, the executive director may, solely at his or her option, reimburse the player for the cost of an invalid ticket. In the event that a defective ticket is purchased, the only responsibility or liability of the Kansas lottery shall be for reimbursement of the cost of the defective ticket.

- (d) A valid instant ticket which is validated and determined to contain a winning combination of numbers by the lottery's computer validation system shall be eligible for payment, provided it has not previously been paid and it meets the requirements of subsection (b)(6), even though it does not meet the remaining validation requirements of subsection (b). (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-89-7, Feb. 26, 1988; amended, T-111-3-14-90, Mar. 2, 1990; amended, T-111-6-19-91, June 14, 1991; amended T-111-7-1-92, June 26, 1992; amended, T-111-12-2-97, Nov. 21, 1997; amended, T-111-3-4-98, March 4, 1998.)
- 111-3-14. Payment of prizes. The procedures for payment of instant monetary prizes to the winners of the instant games are as follows:
- (a) The executive director or his designee shall award the designated prize to the appropriate person as soon as

it is determined that all laws, regulations, and rules have been adhered to.

- (b) Low-tier instant game prizes shall be paid as fol-
- (1) Present the ticket to any retailer. Upon receipt and computer validation of the ticket, the retailer shall immediately make payment for the prize to the claimant. A retailer choosing not to make the payment shall not computer validate the ticket, and the claimant may claim the prize at another retailer location or may claim the prize in another manner prescribed in these rules. If the retailer cannot validate the claim, the claimant shall fill out a claim form provided by the retailer and personally present or mail the completed form together with the ticket to Kansas lottery headquarters. If the claim is received and validated at lottery headquarters, then payment shall be made to the claimant by mail.

(2) Bring the ticket to any regional office of the Kansas lottery during the hours that such office is open to the public for business. Upon receipt and verification of the claim, payment for such claim shall be made to the win-

ner in the following manner:

(A) The prize for a validated free ticket winner redeemed in this manner shall be \$1.00 to be paid by the Kansas lottery.

(B) The prize for other validated low-tier winners redeemed in this manner shall be paid by the lottery.

- (3) Mail the ticket with a completed claim form in any envelope to Kansas lottery headquarters. Claim forms can be obtained from any lottery instant game retailer or any office of the Kansas lottery. Upon receipt and verification of the claim, the payment for such claim shall be made to the winner in the following manner:
- (A) The prize for a validated free ticket winner redeemed in this manner shall be \$1.00 which shall be paid by the lottery.
- (B) The prizes for other validated low-tier winners redeemed in this manner shall be paid by the lottery

(c) High tier instant game prizes in excess of \$599.00 shall be paid by any one of the following methods:

(1) Bring the ticket to any office of the Kansas lottery during the hours that such office is open to the public for business. Upon receipt and validation of the ticket, the payment shall be made to the claimant by the executive director by any means deemed appropriate. On all high-tier claims, the winning ticket should be validated by requesting any Kansas lottery retailer to validate the ticket through the lottery's on-line central computer system. Although the ticket is validated, no authorization numbers will be provided the retailer since retailer cannot pay a high-tier claim.

(2) Mail the ticket with a completed claim form in any envelope to Kansas lottery headquarters. Claim forms may be obtained from any lottery instant game retailer or any office of the Kansas lottery. Upon receipt and validation of the ticket, the payment shall be made to the claimant by the executive director by any means deemed

appropriate.

(d) Tickets submitted for payment of a prize shall become property of the lottery and shall not be returned to claimant. (Authorized by K.S.A. 1997 Supp. 74-8710(c);

implementing K.S.A. 1997 Supp. 74-8710(c), 74-8712(a) and 74-8720(c); effective, T-89-4, Jan. 21, 1988; amended, T-89-7, Feb. 26, 1988; amended, T-111-7-7-88, July 5, 1998; amended, T-111-4-13-89, April 7, 1989; amended, T-111-12-28-89, Dec. 21, 1989; amended, T-111-4-26-90, April 6, 1990; amended, T-111-10-31-90, Oct. 19, 1990; amended, T-111-12-21-90, Dec. 14, 1990; amended, T-111-11-8-94, Oct. 20, 1994; amended, T-111-3-4-98, March 4, 1998.)

111-3-25. Winner validation. The following validation requirements shall apply to all drawings conducted pursuant to K.A.R. 111-3-1 et seq. unless otherwise specified by individual game rules:

(a) Each ticket entered must be a valid non-winning Kansas instant game lottery ticket from any game speci-

fied by the rules and regulations of the drawing;

(b) The information form on the back of each ticket

must be filled out in a legible manner;

(c) Each ticket must have been issued by the Kansas lottery in an authorized manner and must not be counterfeit in whole or in part;

(d) Each ticket shall be intact to the extent that the lottery can determine whether the ticket is a winning ticket;

(e) Each ticket must not be altered or tampered with in any way;

(f) Each ticket must not be blank or partially blank, misregistered, defective, or printed or produced in error;

(g) The display printing on each ticket must be regular in every respect and correspond precisely with the artwork on file at the Kansas lottery;

(h) Each ticket must not be stolen nor appear on any list of omitted tickets on file at the Kansas lottery;

(i) Each ticket must have exactly one ticket validation number, one book-ticket number, and a two-letter retailer validation code for non-barcoded tickets and a three-letter retailer validation code for barcoded tickets, each of which must be present in its entirety, be fully legible, be exactly as described in paragraph (d) above, and correspond precisely to the artwork on file at the Kansas lottery. Each ticket validation number shall correspond to the play symbols on the ticket;

(j) The ticket validation number of the tickets shall not appear on the Kansas lottery's official list of ticket vali-

dation numbers of winning tickets.

(k) Any ticket not passing all the validation checks in this section is void and is not eligible for drawings conducted pursuant to K.A.R. 111-3-1 et seq. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710(b); effective, T-111-7-7-88, July 7, 1988; amended, T-111-5-28-91, May 24, 1991; amended, T-111-7-1-92, June 26, 1992; amended, T-111-11-8-94, Oct. 20, 1994; amended, T-111-3-4-98, March 4, 1998.)

# Article 4.—INSTANT GAMES RULES FOR INSTANT GAME NO. 49 "BLACKJACK"

111-4-1181. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Blackjack" commencing on or after January 19, 1998. The specific rules for the "Blackjack" game are contained in K.A.R. 111-3-1 et seq. and 111-4-1181 through 111-4-1184.

(Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-3-4-98, March 4, 1998.)

111-4-1182. Definitions. The following definitions shall apply to the "Blackjack" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game; the game symbols are printed in black ink in 10 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of 11 play spots within the play area. Each game symbol for this instant game is one of the following: \$1.00 - \$2.00 - \$3.00 - \$4.00 - \$6.00 \$8.00 - \$12.00 - 24.00 - 50.00 - 70.00 - \$210\$ - \$700\$\$ - \$2100 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10 - J - O - K - A - BUST.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated

with each game symbol is as follows:

\$1.°°	Game Symbol	Game Symbol Caption
\$2.\(\infty\) THR\$ \$4.\(\infty\) FOUR\$ \$6.\(\infty\) SIX\$ \$8.\(\infty\) EGT\$ \$12.\(\infty\) TWEN-FOR \$50.\(\infty\) FIFTY  70.\(\infty\) SVTY \$210\$ TWO-TEN \$700\$ SVN-HUN \$2100 21-HUN 2 TWO 3 THR 4 FOR 5 FIV 6 SIX 7 SEV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN 1 JAK Q QEN K KNG A ACE		ONE\$
\$3.°° THR\$ \$4.°° FOUR\$ \$6.°° SIX\$ \$8.°° EGT\$ 12.°° TWLV 24.°° TWEN-FOR 50.°° FIFTY 70.°° SVIY \$210\$ TWO-TEN \$700\$ SVN-HUN \$2100 21-HUN 2 TWO 3 THR 4 FOR 5 FIV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN 1 JAK Q QEN K KNG A ACE		TWO\$
\$4.°°   FOUR\$ \$6.°°   SIX\$ \$8.°°   EGT\$ 12.°°   TWLV 24.°°   TWEN-FOR 50.°°   FIFTY 70.°°   SVIY \$210\$   TWO-TEN \$700\$   SVN-HUN \$2100   21-HUN 2   TWO 3   THR 4   FOR 5   FIV 6   SIX 7   SEV 8   EGT 9   NIN 10   TEN 1   JAK Q   QEN K   KNG A   ACE	\$3. <sup>00</sup>	THR\$
\$6.°° SIX\$ \$8.°° EGT\$  12.°° TWLV  24.°° TWEN-FOR  50.°° FIFTY  70.°° SVIY  \$210\$ TWO-TEN  \$700\$ SVN-HUN  \$2100 21-HUN  2 TWO  3 THR  4 FOR  5 FIV  6 SIX  7 SEV  8 EGT  9 NIN  10 TEN  JAK  Q QEN  K KNG  A ACE		
\$8.°°	\$6.00	SIX\$
12.∞ TWLV 24.∞ TWEN-FOR 50.∞ FIFTY 70.∞ SVTY \$210\$ TWO-TEN \$700\$ SVN-HUN \$2100 21-HUN 2 TWO 3 THR 4 FOR 5 FIV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN 1 JAK Q QEN K KNG A ACE		
24.∞ TWEN-FOR 50.∞ FIFTY 70.∞ SVTY \$210\$ TWO-TEN \$700\$ SVN-HUN \$2100 21-HUN 2 TWO 3 THR 4 FOR 5 FIV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN 1 JAK Q QEN K KNG A ACE		
50. <sup>∞</sup> FIFTY 70. <sup>∞</sup> SVTY \$210\$ TWO-TEN \$700\$ SVN-HUN \$2100 21-HUN 2 TWO 3 THR 4 FOR 5 FIV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN 10 TEN JAK Q QEN K KNG A ACE		
70.∞ SVTY \$210\$ TWO-TEN \$700\$ SVN-HUN \$2100 21-HUN 2 TWO 3 THR 4 FOR 5 FIV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN 10 TEN 1 JAK Q QEN K KNG A ACE		FIFTY
\$210\$ TWO-TEN \$700\$ SVN-HUN \$2100 21-HUN 2 TWO 3 THR 4 FOR 5 FIV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN 10 TEN I JAK Q QEN K KNG A ACE		
\$700\$ SVN-HUN \$2100 21-HUN 2 TWO 3 THR 4 FOR 5 FIV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN 10 TEN I JAK Q QEN K KNG A ACE		
\$2100 21-HUN 2 TWO 3 THR 4 FOR 5 FIV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN 10 JAK Q QEN K KNG A ACE		
2 TWO 3 THR 4 FOR 5 FIV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN 1 JAK Q OEN K KNG A ACE		
3 THR 4 FOR 5 FIV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN 1 JAK Q QEN K KNG A ACE	and the first of the control of the	
4 FOR 5 FIV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN JAK Q QEN K KNG A ACE	At a few control of the control of t	
5 FIV 6 SIX 7 SEV 8 EGT 9 NIN 10 TEN 1 JAK Q QEN K KNG A ACE		
6 SIX 7 SEV 8 EGT 9 NIN 10 TEN JAK Q QEN K KNG A ACE	M 1	
7 SEV 8 EGT 9 NIN 10 TEN JAK Q QEN K KNG A ACE	the first particular to the second of	
8 EGT 9 NIN 10 TEN JAK Q QEN K KNG A ACE		
9 NIN 10 TEN JAK Q QEN K KNG A ACE		
10 TEN JAK Q QEN K KNG A ACE		
J JAK Q QEN K KNG A ACE		
Q QEN K KNG A ACE	and the second of the second o	
Ř KNG A ACE		
ACE .		

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and

end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; FOR = \$4.00; SIX = \$6.00; TWL = \$12.00; TFO = \$24.00; FTY = \$50.00; THT = \$210.00

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-3-4-98, March 4, 1998.)

111-4-1183. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the table play area to reveal three hands, "HAND 1," "HAND 2," and "HAND 3," as well as three prize amounts and one "DEALER'S HAND." If the total value of a "HAND" is higher than the value of the "DEALER'S HAND," the player wins the prize directly below that "HAND." If the player gets Blackjack (21) in any "HAND," the player wins double the prize for that "HAND." If the dealer "BUSTS," the player wins all three prizes. Each ticket can win up to three times. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-3-4-98, March 4, 1998.)

111-4-1184. Number and value of instant prizes. (a) There will be approximately 1,800,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	\$1	96,000	\$ 96,000
\$2	\$2	48,000	96,000
\$1 Doubled	\$2	85,200	170,400
<b>\$4</b>	\$4	18,000	72,000
<b>\$2 + \$2</b>	\$4	27,000	108,000
\$2 Doubled	\$4	30,000	120,000
\$1 + \$1 + \$2	\$4	33,000	132,000
\$6	\$6	2,400	14,400
\$3 + \$3	\$6	2,400	14,400
\$2 x 3 (Bust)	<b>\$6</b>	3,000	18,000
\$12	\$12	780	9,360
\$6 + \$6	\$12	840	10,080
\$4 x 3 (Bust)	\$12	1,020	12,240
\$4 Doubled + \$4	\$12	1,200	14,400
\$24	\$24	900	21,600
\$12 + \$12	\$24	1,020	24,480
\$8 x 3 (Bust)	\$24	1,080	25,920
\$50	\$50	360	18,000
<b>\$2 + \$24 + \$24</b>	\$50	480	24,000
\$210	\$210	12	2,520
\$70 + \$70 + \$70	\$210	18	3,780
\$700 x 3 (Bust)	\$2,100	6	12,600
\$2,100	\$2,100	12	25,200
Total		352,728	\$1,045,380

(b) The executive director may terminate the sale of

tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 5.10.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-3-4-98, March 4, 1998.)

#### Article 6.—ON-LINE GENERIC GAME RULES

111-6-1. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 et seq.) and amendments thereto, and lottery regulations adopted pursuant to the Kansas lottery act are hereby incorporated by reference.

(b) "On-line Game" or "game" means a lottery game in which a player selects a combination of numbers or symbols, the type of game and amount of play, and the drawing date(s) by use of a computer. In return for paying the appropriate fee, the player receives a computergenerated ticket with the player's selection printed on it. The Kansas lottery will conduct a drawing to determine the winning combination in accordance with the rules of the specific game being played. Each ticket holder whose valid ticket includes a winning combination shall be entitled to a prize if the ticket and a valid claim form are submitted within the specified time period.

(c) "On-line Retailer" or "retailer" means a person or business authorized by the Lottery to sell on-line tickets.

(d) "On-line Terminal (OLT)" or "terminal" means the computer hardware by which an on-line retailer or player enters the combination selected by the player and by which on-line tickets are generated and claims are validated.

(e) "On-line Ticket" or "ticket" means a computergenerated ticket issued by an on-line terminal to a player as a receipt for the combination a player had selected. That ticket shall be the only acceptable evidence of the combination of numbers or symbols selected.

(f) "Drawing" includes the procedure determined by the executive director by which the lottery selects the winning combination in accordance with the rules of the game or the procedure of removing non-winning tickets or other types of entry forms from a receptacle or drum in a drawing event conducted by the lottery. Various types of drawings and procedures involve the following:

(1) Those utilizing ball sets are open to the public, and are required to be witnessed by a lottery security officer and a drawing manager. Furthermore, the equipment used in any drawing must be inspected by the lottery security official present before the drawing.

(2) Winning number combinations may be generated through the use of a computer-driven random number generator located at lottery headquarters as provided by specific game rules. The generator shall be statistically analyzed, tested, and certified by an independent qualified statistician for integrity. Periodic checks shall be made to ensure the security and integrity of the system at least quarterly.

(continued)

(3) Drawing events requiring non-winning tickets or entry forms from a receptacle or drum shall be conducted in accordance with specific game rules and K.A.R. 111-

(4) All drawings and inspections are required to be re-

corded on both video and audio tape.

(g) "Quick pick" or "computer pick" means the random selection of numbers or symbols which appear on a

ticket and are played by a player in a game.

(h) "Winning combination" means one or more numbers or symbols randomly selected at each on-line game drawing which shall be used to determine winning plays contained on a game ticket.

(i) "Validation" means the process of determining whether an on-line ticket presented for payment is a win-

ning ticket.

(j) "Ticket holder" or "holder" means the person who has possession of an unsigned ticket or the person whose signature appears in the area upon a ticket designated for

(k) "Executive director" means the executive director of the Kansas lottery or the person designated by the ex-

ecutive director.

(1) "Social environment establishment" means a retailer licensed to serve cereal malt beverage and/or alco-

hol for consumption on premises.

(m) "Attempt(s) to cancel" means that a retailer enters cancellation data into an on-line terminal or is informed by a player, prior to the first drawing for which the ticket was eligible, that the ticket was produced in error either because of a terminal malfunction or by miscommunication between a player and a retailer.

(n) "Problem ticket" means any on-line ticket erroneously produced either by terminal malfunction or by mis-

communication between a player and a retailer.

- (o) "Receptacle" or "drum" means a container in which non-winning tickets or entry forms are placed and from which the drawings are made. Receptacles or drums shall be sealable and drums shall be capable of being mixed or rotated for the purpose of ensuring random dis-
- (p) "Day," "business day" or "operations day," when referring to an on-line game, means the 19-hour period starting at 6:00 a.m. and ending at 1:00 a.m., the following day, unless specified otherwise in individual game rules. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; amended, T-111-10-10-90, Sept. 15, 1990; amended, T-111-12-21-90, Dec. 14, 1990; amended, T-111-9-20-91, Sept. 20, 1991; amended, T-111-7-1-92, June 26, 1992; amended, T-111-9-1-92, Aug. 28, 1992; amended, T-111-3-26-93, March 19, 1993; amended, T-111-3-3-94, Feb. 25, 1994; amended, T-111-7-22-96, July 19, 1996; amended, T-111-9-4-96, Aug. 16, 1996; amended, T-111-3-4-98, March 4, 1998.)

#### Article 9.—INDIVIDUAL PULL-TAB GAME RULES **RULES FOR PULL-TAB GAME NO. 12** "MAX 7"

111-9-79. Name of game. The Kansas lottery shall conduct a pull-tab game entitled "Max 7" starting on or after January 19, 1998. The specific rules for the "Max 7" game are contained in K.A.R. 111-9-79 through 111-9-84. Other applicable rules for the game may be found in K.A.R. 111-8-1 et seq. (Authorized by and implementing, K.S.A. 1997 Supp. 74-8710; effective, T-111-3-4-98, March 4. 1998.)

111-9-80. Definitions. The following definitions shall apply to the "Max 7" pull-tab lottery game.

(a) "Ticket" or "card" means a Kansas lottery pull-tab

game "Max 7" ticket.

- (b) "Play symbols" are the numbers, letters, symbols or pictures printed on the front and under each tab on the back of each pull-tab ticket which determine if the ticket bearer is entitled to a prize. In this pull-tab game, the play symbols consist of images of diamonds, oranges, strawberries, lemons, pears, green 7's, and a purple Max. 7. Green 7's, the purple Max 7, diamonds, oranges, and strawberries appear on the front of each ticket. Various combinations of these play symbols appear under each of the five tabs on the back of each ticket.
  - (c) "Carton" means a box of pull-tab tickets containing

2.688 tickets.

(d) "Carton serial number" is the 9-digit number ap-

pearing on the front of the ticket.

(e) "Quarter carton" means one-fourth of a carton containing 672 pull-tab tickets. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-3-4-98. March 4, 1998.)

111-9-81. Determination of instant prize winners. Each tab on the back of the ticket is to be pulled open. If four symbols and one purple Max 7, or three, four or five symbols identified below appear horizontally, vertically or diagonally with a blue arrow running through all symbols, the player wins the prize which corresponds to the symbols appearing on the front of the ticket. On winning combinations, the total amount won will appear under a tab. The prize amounts are as follows:

4 - green 7's and a purple Max 7	\$75.00 \$25.00
4 - diamonds and a purple Max 7 4 - oranges and a purple Max 7	\$15.00
4 - strawberries and a purple Max 7	\$10.00
5 - green 7's	\$3.00
5 - diamonds	\$3.00
5 - oranges	\$2.00
5 - strawberries	\$2.00
4 - symbols the same	\$1.00
3 - symbols the same	\$.50

No ticket will have more than one winner. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-3-4-98, March 4, 1998.)

111-9-82. Number and value of prizes per quarter carton of tickets. The prize structure for each quarter carton of "Max 7" pull-tab tickets is as follows:

Prize	Number of Winners	Prize Payout in Dollars
\$75.00	1	\$ 75.00
\$25.00	1	25.00
\$15.00	1	15.00
\$10.00	. 1.	10.00
\$3.00	1	3.00
\$3.00	2	6.00

	and the state of t		
\$2.00	3	6	.00
\$2.00	3	. 6	.00
\$1.00	14	14	.00
\$.50	86	43	.00
	<u>113</u>	\$203	.00

Overall odds of winning a prize are one in 5.94. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-3-4-98, March 4, 1998.)

111-9-83. Validation requirements. The following

validation requirements shall apply:

- (a) Exactly one purple Max 7 symbol and four green 7's, one purple Max 7 symbol and four diamonds, one purple Max 7 symbol and four oranges, one purple Max 7 symbol and four strawberries, or exactly five green 7's, five diamonds, five oranges, or five strawberries. Four same symbols and three same symbols must appear horizontally, vertically, or diagonally under the tabs on the back of the ticket.
- (b) Winning tickets will have a blue arrow running through the symbols and the winning amount will appear under one of the tabs.
- (c) The ticket must pass all validation requirements as specified in K.A.R. 111-8-6. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-3-4-98, March 4, 1998.)

**111-9-84.** Price. The retail price of the "Max 7" tickets is 50¢ per ticket. (Authorized by K.S.A. Supp. 1997 74-8710; effective, T-111-3-4-98, March 4, 1998.)

### RULES FOR PULL-TAB GAME NO. 11 "SIZZLIN CHERRIES"

- **111-9-85.** Name of game. The Kansas lottery shall conduct a pull-tab game entitled "Sizzlin Cherries" starting on or after January 19, 1998. The specific rules for the "Sizzlin Cherries" game are contained in K.A.R. 111-9-85 through 111-9-90. Other applicable rules for the game may be found in K.A.R. 111-8-1 et seq. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-3-4-98, March 4, 1998.)
- 111-9-86. Definitions. The following definitions shall apply to the "Sizzlin Cherries" pull-tab lottery game.

(a) "Ticket" or "card" means a Kansas lottery pull-tab game "Sizzlin Cherries" ticket.

- (b) "Play symbols" are the numbers, letters, symbols or pictures printed on the front and under each tab on the back of each pull-tab ticket which determine if the ticket bearer is entitled to a prize. In this pull-tab game, the play symbols consist of images of twin cherries, American flags, sky rockets, hot dogs, suns, ice cream cones, slices of cherrie pie, watermelons, a clump of grapes, popsicles, and picnic baskets. Three of each of the first seven symbols appear on the front of each ticket. Various combinations of these play symbols appear under each of the five tabs on the back of each ticket.
- (c) "Carton" means a box of pull-tab tickets containing 2,496 tickets.
- (d) "Carton serial number" is the 9-digit number appearing on the front of the ticket.

(e) "Quarter carton" means one-fourth of a carton containing 624 pull-tab tickets. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-3-4-98, March 4, 1998.)

111-9-87. Determination of instant prize winners. Each tab on the back of the ticket is to be pulled open. If three of the symbols shown below appear horizontally with the word "WIN" running through the first two symbols under any one tab, the player wins the prize which corresponds to the symbols appearing on the front of the ticket. On winning tickets, the amount won will appear under one of the tabs on the back of the ticket. The prize amounts are as follows:

3 - twin cherries			9-14-5	\$50.00
3 - American flags		* .	Carrier Co	\$30.00
3 - sky rockets				\$15.00
3 - hot dogs	,			\$5.00
3 - suns				\$2.00
3 - ice cream cones	14		24 8	\$1.00
3 - slices of cherry pie	100	. *	San San	\$.50
				7

No ticket will have more than one winner. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-3-4-98, March 4, 1998.)

111-9-88. Number and value of prizes per quarter carton of tickets. The prize structure for each quarter carton of "Sizzlin Cherries" pull-tab tickets is as follows:

Prize	Number of Winners	Prize Payout in Dollars
\$50.00	1	\$ 50.00
\$30.00	1	30.00
\$15.00	1	15.00
\$5.00	4	20.00
\$2.00	10	20.00
\$1.00	12	12.00
\$.50	84	42.00
	<u>113</u>	\$189.00

Overall odds of winning a prize are one in 5.52. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-3-4-98, March 4, 1998.)

**111-9-89.** Validation requirements. The following validation requirements shall apply:

(a) Exactly three twin cherries, three American flags, three sky rockets, three hot dogs, three suns, three ice cream cones, or three slices of cherry pie must appear under the tab on the back of the ticket.

(b) Winning tickets will have the word "WIN" running through the first two symbols and the winning

amount will appear under one of the tabs.

(c) The ticket must pass all validation requirements as specified in K.A.R. 111-8-6. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-3-4-98, March 4, 1998.)

111-9-90. Price. The retail price of the "Sizzlin Cherries" tickets is 50¢ per ticket. (Authorized by K.S.A. 1997 Supp. 74-8710; effective, T-111-3-4-98, March 4, 1998.)

Gregory P. Ziemak Executive Director

State of Kansas

# Department of Administration Division of Purchases

#### **Notice to Bidders**

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

### Monday, April 6, 1998

Department of Social and Rehabilitation Services— Service delivery project

33016

University of Kansas—Work shirts with logo 7317

Department of Administration, Division of Information Services and Communications—Sun Enterprise 4000 software

7318

Kansas State University—Natural gas generator 7321

Fort Hays State University—Furnish and install carpet and pad

University of Kansas—Furnish and install carpet and pad

7324
Kansas Department of Health and Environment—
IBM tape drive and controller

7335

University of Kansas—Street light fixtures and poles 7336

Pittsburg State University—Motorola CPU computer 7337

University of Kansas—CD SCSI server

7347

University of Kansas Medical Center-Luminometer

Tuesday, April 7, 1998

7331

Department of Social and Rehabilitation Services— Handicapped van modification, Wichita

7340

Kansas State University—Wood library shelving system units

7345

Emporia State University—Furnish and install A/V equipment

Wednesday, April 8, 1998

33021

Department of Education—Licensed security guard services

33027

Kansas State University—Cleaning chemical dilution control system

7315

University of Kansas—Sport utility vehicle

7338

Department of Transportation—Aggregate (District 1)

7339

Department of Transportation—Distance measuring equipment, various locations

Thursday, April 9, 1998

7341

Fort Hays State University—Workgroup computing software, e-mail, calendar, workflow, etc.

7343

Fort Hays State University—Light fixtures

Friday, April 10, 1998

33025

Kansas State Fair—Tickets for Kansas State Fair
7344

Kansas Department of Wildlife and Parks—Rip rap aggregate, Cheney

Monday, April 13, 1998

33028

Department of Transportation—Maintenance of highway lighting, various locations

Wednesday, April 15, 1998 A-8168(A)

University of Kansas—Improvements, Phase II, Watson Library

A-8468
Department of Corrections—Gas line replacement,

south unit

33026
University of Kansas Medical Center—Printing of the KU-Med—1998 Magazine

Thursday, April 16, 1998

A-8402

Wichita State University—Reroof, Wilkie Annex A-8462

Pittsburg State University—Fire safety improvements, Dellinger Residence Hall and Gibson Dining Hall A-8463

Kansas State University—Electrical service upgrade, Willard Hall

A-8475

Kansas State University—Remodel rooms 220, 221, 222, Seaton Hall

Tuesday, April 21, 1998

A-8333

Kansas State University—Electrical service upgrade, Veterinary Medicine Complex

A-8440

Kansas State University—High tech classroom renovation, Room 350, Waters Hall, Building No. 36700-00120

A-8478

University of Kansas—Basement waterproofing, Watkins Scholarship Hall, Building No. 68200-00011

Friday, April 24, 1998 33022

Department of Social and Rehabilitation Services— Space lease for Garden City

#### 33023

Department of Social and Rehabilitation Services— Space lease for Dodge City

Thursday, April 30, 1998

University of Kansas—Property insurance

#### Request for Proposals Tuesday, April 7, 1998 7312

Video production services for the Department of Human Resources

### Thursday, April 30, 1998

Automated library system for Emporia State University

John T. Houlihan Director of Purchases

Doc. No. 022187

(Published in the Kansas Register March 26, 1998.)

#### NOTICE OF PARTIAL REDEMPTION

#### City of Kansas City, Kansas Single Family Mortgage Revenue Bonds, 1980 Series A

NOTICE IS HEREBY GIVEN that pursuant to Section 3.01 of the Trust Indenture \$455,000.00 principal amount of the Bonds are being called for redemption on May 1, 1998 at the redemption price of 100% of the principal amount being redeemed plus accrued interest thereon to the redemption date. This Notice was first published on Thursday, March 26, 1998 in the Kansas Register and The Bond Buyer.

The certificate numbers of the bonds to be partially or fully redeemed in the amounts described below are as follows:

\*CUSIP No: 484770 BL5, Due: May 1, 2012

 Bearer Bonds called in the amount of \$5,000 each:

 2086
 2752
 2829
 3408
 3525
 4032
 4052
 4084

 5019
 5060
 6662
 6783
 6964
 7064
 7223
 7457

Coupons due May 1, 1998 should be presented in the normal manner. Coupons due November 1, 1998 and all subsequent coupons must be attached to bonds called for redemption.

<u>Registered Bonds called in the amount indicated below all with the prefix "R":</u> 241.....\$5,000 557.....\$5,000 665 ....\$5,000 666 ....\$355,000

Payment of the redemption price on the bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, Kansas 66101. To avoid a 31% backup withholding required by the Interest and Dividend Tax Compliance Act of 1983, bondholders should submit Certified Taxpayer Identification Numbers on IRS Form W-9 when presenting their securities for redemption.

Notice is hereby given that on and after May 1, 1998, interest on the bonds hereby called for redemption shall cease to accrue.

### By: Security Bank of Kansas City, Kansas City, Kansas

Trustee

Dated: March 26, 1998

\*The CUSIP number is included solely for the convenience of the Bondholders. Neither the Issuer nor the Trustee shall be responsible for the selection or the use of the CUSIP number, nor is any representation made as to its correctness on the securities or as indicated on any redemption notice.

Doc. No. 022189

(Published in the Kansas Register March 26, 1998.)

Summary Notice of Bond Sale City of Mulvane, Kansas \$530,000

General Obligation Bonds, Series 1998-2

(General obligation bonds payable from unlimited ad valorem taxes)

#### Sealed Bids

Subject to the notice of bond sale dated March 19, 1998, sealed bids will be received by the clerk of the City of Mulvane, Kansas (the issuer), on behalf of the governing body at City Hall, 211 N. 2nd St., Mulvane, KS 67110, until 5 p.m. April 6, 1998, for the purchase of \$530,000 principal amount of General Obligation Bonds, Series 1998-2. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

#### **Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof (or such amount added to \$5,000 or any integral multiple thereof). The bonds will dated April 1, 1998, and will become due on September 1 in the years as follows:

		Principal
Year		Amount
1999		\$15,000
2000		25,000
2001	the firm of the territory	30.000
2002		30,000
2003		30,000
2004		30,000
2005		35,000
2006		35,000
2007		35,000
2008		40,000
2009	the form of the same of	40.000
2010		45,000
2011		45,000
2012	医腹外部 网络马克克	45,000
2013		50,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as here-inafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1999.

**Optional Book-Entry-Only System** 

The successful bidder may *elect* to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

The Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$10,600 (2 percent of the principal amount of the bonds).

#### Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and regis-(continued) tered without cost to the successful bidder on or about April 30, 1998, at DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

#### Assessed Valuation and Indebtedness

The equalized assessed valuation for computation of bonded debt limitations for the year 1998 is \$23,275,179. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$3,830,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

#### **Additional Information**

Additional information regarding the bonds may be obtained from the clerk, (316) 777-1443, fax (316) 777-4081; or from the financial advisor, Ranson Municipal Consultants, L.L.C., Wichita, Kansas, Attention: John Haas, (316) 269-2231.

Dated March 19, 1998.

City of Mulvane, Kansas

Doc. No. 022186

(Published in the Kansas Register March 26, 1998.)

Summary Notice of Bond Sale \$27,750,000 Sedgwick County, Kansas General Obligation Bonds, Series A, 1998 (General obligation bonds payable from unlimited ad valorem taxes)

#### Sealed Bids

Subject to the notice of bond sale dated March 18, 1998, sealed bids will be received by the director, Bureau of Finance, Sedgwick County, Kansas (the issuer), on behalf of the governing body at Sedgwick County Courthouse, Suite 823, 525 N. Main, Wichita, KS 67203, until 9:30 a.m. April 8, 1998, for the purchase of \$27,750,000 principal amount of General Obligation Bonds, Series A, 1998. No bid of less than 99 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

#### **Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated April 15, 1998, and will become due on August 1 in the years as follows:

	mount
1999 \$	425,000
2000	900,000
2001	950,000
	000,000

	- 1
2003	1,050,000
2004	1,125,000
2005	1,175,000
2006	1,225,000
2007	1,300,000
2008	1,375,000
2009	1,450,000
2010	1,525,000
2011	1,600,000
2012	1,675,000
2013	1,600,000
2014	1,675,000
2015	1,775,000
2016	1,875,000
2017	1,975,000
2018	2,075,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on February 1 and August 1 in each year, beginning February 1, 1999.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$555,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder within 30 days of the sale of the bonds, at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

#### Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1997 is \$2,747,131,414. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$108,790,000.

**Approval of Bonds** 

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

#### **Additional Information**

Additional information regarding the bonds may be obtained from Richard J. Hesse, Cash/Debt Management Coordinator, Sedgwick County Courthouse, Suite 823, 525 N. Main, Wichita, KS 67203, (316) 383-7591, fax (316) 383-7729.

Dated March 18, 1998.

Sedgwick County, Kansa

(Published in the Kansas Register March 26, 1998.)

#### Summary Notice of Bond Sale \$390,000

City of Conway Springs, Kansas General Obligation Street Improvement Bonds

(General obligation bonds payable from unlimited ad valorem taxes)

#### Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated as of March 12, 1998, of the City of Conway Springs, Kansas, in connection with the City's General Obligation Street Improvement Bonds, Series 1998, hereinafter described, sealed, written bids shall be received at the office of the city clerk at City Hall, 208 W. Spring, Conway Springs, KS 67031, until 3:30 p.m. Thursday, April 9, 1998, for the purchase of the bonds. All bids shall be publicly opened, read aloud and tabulated on said date at 7:30 p.m. and shall thereafter be immediately considered and acted upon by the city.

No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the

bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or from the city's financial advisor. Bids may be submitted by mail or may be delivered in person, and must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

#### Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$390,000, and shall bear a dated date of April 1, 1998. The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption prior to their respective maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on June 1 and December 1 of each year, commencing June 1, 1999, and the bonds shall mature serially on December 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$ 5,000	1999
10,000	2000
20,000	2001
20,000	2002
20,000	2003
25,000	2004
25,000	2005
25,000	2006

			5.5
	30,000	Burney Burn	2007
7.5	30,000		2008
	30,000		2009
	35,000		2010
1.1	35,000		2011
٠٠	40,000		2012
. ,	40,000		2013

#### **Redemption of Bonds**

Certain of the bonds are subject to optional redemption prior to their maturities as set forth in the official notice of bond sale. Additionally, a bidder may elect to have all or a portion of the bonds shown in the above maturity schedule issued as term bonds, which would be subject to mandatory redemption requirements. (Reference is made to the official notice of bond sale for complete details regarding redemption of the bonds.)

#### Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be paid upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

#### Security for the Bonds

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. The city is obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

#### **Delivery of the Bonds**

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or before Thursday, April 30, 1998, at such bank or trust company or other qualified depository in the State of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

#### **Legal Opinion**

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, L.L.C., Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

#### **Financial Matters**

The city's current equalized assessed tangible valuation is as follows:

Assessed Valuation of Taxable	
Tangible Property	\$3,208,094
Motor Vehicle Valuation	1,191,944
Assessed Tangible Valuation for	\$4,400,038
Computation of Bonded Debt Limitations	

(continued)

K.S.A. 10-308 provides that the authorized and outstanding bonded indebtedness of any city shall not exceed 30 percent of the assessed valuation of the city. The city's outstanding general obligation bonded indebtedness at April 1, 1998, including the bonds described herein, will be \$1,283,000.

#### Official Statement

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered by the successful bidder at its expense.

**Continuing Disclosure** 

Securities and Exchange Commission Rule 15c2-12, as amended effective July 3, 1995, provides that brokers, dealers and municipal securities dealers must comply with certain requirements before acting as an underwriter in a primary offering of municipal securities with an aggregate principal amount of \$1,000,000 or more.

The bonds described herein will be offered in a primary offering with an aggregate principal amount of less than \$1,000,000. Accordingly, in the opinion of bond counsel, the offering and sale of the bonds described herein does not constitute an offering as defined by the rule, and the requirements of the rule do not apply to brokers, dealers and municipal securities dealers acting as underwriters in connection with the bonds described herein.

#### **Additional Information**

For additional information regarding the city, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale, the official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk at the address and telephone number shown below, or from the city's financial advisor, Ranson Municipal Consultants, L.L.C., 120 S. Market, Wichita, KS 67202, (316) 269-2231.

> By Janice Wise, City Clerk 208 W. Spring Conway Springs, KS 67031 (316) 456-2345

Doc. No. 022175

#### INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the Kansas Register issue in which more information can be found. This cumulative index supplements the index to the 1997 Volumes of the Kansas Administrative Regulations.

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1-2-35	Amended	V. 16, p. 1178
1-2-68	Revoked	V. 16, p. 1178
1-5-7	Amended	V. 16, p. 1665
1-5-8	Amended	V. 16, p. 1665
1-5-12	Revoked	V. 16, p. 1666
1-5-13	Amended	V. 16, p. 1666
1-5-19c	Amended	V. 16, p. 1666
1-6-2	Amended	V. 16, p. 1178
1-6-8	Amended	V. 16, p. 1179
1-6-21	Amended	V. 16, p. 1179
1-6-22	Revoked	V. 16, p. 1179
1-6-27	Amended	V. 16, p. 1179
1-6-29	Amended	V. 16, p. 1666
1-6-33	Amended	V. 16, p. 973
1-7-11	Amended	V. 16, p. 1667
1-9-2	Amended	V. 16, p. 973
1-9-7b	Amended	V. 16, p. 1668
1-9-7c	Amended	V. 16, p. 974
1-9-13	Amended	V. 16, p. 974
1-9-17	Revoked	V. 16, p. 975
1-9-26	Amended	V. 16, p. 975
1-9-27	Amended	V. 16, p. 976
1-10-7	Amended	V. 16, p. 1667
1-13-1a	Amended	V. 16, p. 977
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1-16-2d	Revoked	V. 16, p. 1211
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#### V. 16, p. 1356 Amended 4-16-1c V. 16, p. 1357 Amended 4-17-1a V. 16, p. 1357 4-17-1c Amended AGENCY 7: SECRETARY OF STATE Register Action Reg. No.

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28-4-570	Revoked	V. 16, p. 1250	30-4-50W Revoked V 16 - 252	
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